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REPORT

ON

CANADIAN ARCHIVES

BY

DOUGLAS BRYMNER, Archivist

1891

(*Being an Appendix to Report of the Minister of Agriculture.*)

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REPORT ON CANADIAN ARCHIVES.

DOUGLAS BRYMNER, ARCHIVIST.

Honourable JOHN CARLING,
Minister of Agriculture,
&c., &c., &c.

SIR,—I have the honour to present the report on Archives for 1891.

As formerly reported, the work of making transcripts in the Public Record Office, London, continues and the same care is exercised as hittherto in securing the most absolute correctness. The State Papers for Lower Canada are now copied down to the year 1819, covering the death of the Duke of Richmond in August of that year and part of the administration of the Acting Governor Monk; for Upper Canada to the year 1825; the volume Q 359 contains the correspondence relating to the establishment of the Upper Canada Company, the succeeding volumes, which may be shortly expected, containing full details of the transactions between Government and the company. The correspondence in relation to Canada, for the series marked America and West Indies, begins in 1755 and ends in 1771, that marked Quebec, Canada from 1760 to 1791, with scattered papers down to 1800; for Lower Canada from 1791 to 1819, and for Upper Canada from 1791 to 1825, besides a series of volumes of military correspondence from 1756 to 1786, from the generals in command. A collection of the papers laid before the Imperial Parliament has also been made and nothing has been left undone to make these complete and immediately accessible, so far as the means placed at the disposal of the branch would permit. It may be repeated, that the most rigid economy has been observed in the expenditure of the amount granted by Parliament for the Archive Service.

Work has been begun in Paris on the documents selected by Mr. Marmette to be copied, and a first instalment has been received, which he is now engaged in indexing, so as to make them accessible. Similar precautions as in London are taken in Paris to ensure absolute correctness in the transcripts.

A list of the documents and books presented during the year will be found at the end of the report, an examination of which will show the general interest felt in the work.

Requests for information and personal investigations are steadily increasing and the importance of the work is now fully recognised and acknowledged. It has been the settled system of this branch to meet all requests for information as promptly as possible.

Two lists of names of officers and soldiers to whom Lord Dorchester desired to grant lands for their services at St. John's and at Bennington will be found interesting. It may be well to note that when Ticonderoga was surprised by Benedict Arnold and Ethan Allen there were, according to their own account, only about 40 men in the garrison, entirely unprepared, having received no news of the outbreak at Lexington, and therefore believing it unnecessary in a British possession to be on their guard against a hostile attack. Crown Point, with a garrison of 12 men, was taken, and St. John's had only 10 men and a sergeant. It is on these captures, with a large armed force, that Ethan Allen has received the title of the Hero of Ticonderoga and had a statue erected to his honour, although Benedict Arnold had at least an equal title to the command in these cases and it was to Seth Warner that Crown

Point surrendered. The names which follow of those to whom Carleton desired to give grants are divided into two lists A and B. These are here published as they appear. The lists are in French, with the following title, which is the same for both.

A.

RETOUR des personnes qui se sont trouvées dans le Blocus de St-Jean et d'autres dans l'affaire de Bennington à qui Milord Dorchester veut bien accorder des terres pour récompense de leurs services.

Noms des Parroises.	Noms des Personnes.	Grades.	Blocus de St Jean.	A Bennington.	Qty of Acres.
De Montreal	M. Picotté de Bellestre	Lt. Col.	1	"	1000 Acres.
	Joseph De Longueuil	Major	1	"	1000 Do.
De Varennes	Ete. Lamorandiere	Capt	1	"	700 Do.
De Longueuil	Ete. Josh. Dechambault	Capt	1	"	700 Do.
De Vaudreuil	Michl. Charte. deLothbinier	Capt	1	"	700 Do.
De L'asomption	Bte. Hervieux	Cap.	1	"	700 Do.
Des Ecorts	Pierre Gamelin	Cap.	1	"	700 Do.
De Montreal	Bte. Hertel (Mort)	Lieut	"	"	500 Do.
A Paris	Laronde pere en france	Lieut	1	"	500 Do.
A Terrebone	Nichs. Mansl. Dennisseau	Lieut	1	"	500 Do.
A Blinville	Jacqs. Marie Nautau Delamarque	Lieut	"	"	500 Do.
De La Prairie	Antoine Dupré	Lieut	1	"	500 Do.
De St. Anne	Charles Giasson	Lieut	1	"	500 Do.
De Montréal	Louis Mocquin	Lieut	1	"	500 Do.
	Jacques Hervieux	Lieut	1	"	500 Do.
De La Chine	M. Josh. Gamelin Gaucher	Commre	1	"	500 Do.
De Montréal	Jacques Giasson	Ensign	1	"	500 Do.
	Ant. Foucher pere Notaire	Sergt	1	"	200 Do.
A La Prairie	Louis Renville	Cap (*sic*)	1	"	200 Do.
De La Rivière du Loup	Bte. Habm. Demuray	Sergt	"	"	200 Do.
	Josh. Dejarlay	Sergt	1	"	200 Do.
	Thomas Sar (Mort)	Sergt	1	"	200 Do.
	Pre. Collet (tué à St Jean)	Soldat	1	"	100 Do.
De Montreal	Jonas King (Mort)	Soldat	1	"	100 Do.
	Amble. Cazalay (Blessé à St. Jeans)	Soldat	1	"	100 Do.
	J. Bte. Lemoin	Lieut	1	"	500 Do.
De La Mauray	Bte Hervieux	Lieut	"	1	200 Do.
De Repentigni	Nichs. Villimont	Soldat	"	1	100 Do.
	Ant. Auger	Sergt	1	"	200 Do.
	Michl. Lamirande	Sergt	"	1	200 Do.
River	Theodr. Lamirande	Sergt	"	1	200 Do.
	Pierre Sicard	Sergt	"	1	200 Do.
du	Ant. Sicard	Sergt	"	1	200 Do.
	Pierre Plante	Soldat	1	"	100 Do.
	Ant. Tessart	Soldat	1	"	100 Do.
Loup.	Frans. Lamirande	Sergt	1	"	200 Do.
	Augn. Houle (Mort)	Lieut	1	"	200 Do.
	Ant. Dejarlay	Soldat	1	"	100 Do.
	Chs. Auclair	Soldat	1	"	100 Do.
De	Jean Carlos, Chirurgien	Soldat	1	"	100 Do.
Yamachiche	Joseph Lasserte	Lieut	1	"	200 Do.
	Alexis Gelinas	Soldat	1	"	100 Do.
De Soulanges	Joseph Le Renard	Soldat	"	1	100 Do.
De Montreal	L. Lenas *dit* franc cour	Soldat	1	"	100 Do.
De Trois Riviere	Raphel Caurier	Soldat	1	"	100 Do.
Point du Lac	J. Bte. Poitier	Lieut	1	"	200 Do.
De Montreal	Henry Lodel, Asst Chirurgien	Ensign	"	1	200 Do.
De Montreal	L. Luas *dit* franc cour	Soldat	1	"	100 Do.
De St. Genevieve	Jh. Martin	Cap	1	"	200 Do.
De Machiche	Jh. Adam	Capt	1	"	200 Do.
	Jh. Chine	Soldat	1	"	100 Do.
	Total				16,100 Acres.

Total : Sixteen Thousand one hundred acres. QUEBEC 3rd July 1788.

Approved

D.

B.

Noms des Paroisses.	Noms des Personnes.	Grades.	Qty. of Acres.
De Isle Jesus	Charles Daze, fils	Ensign	200
De Montreal	Jean Meneche (Mort)	Sergeant	200
De Quebec	Gerge Lenton	Soldat	100
De Montreal	Louis de Coign	Captain	700
De St. Ours	Pierre Dejarlay	Soldat	100
De Machiche	Louis Tessart	Do.	100
Do.	Jean Bte Millet	Do.	100
De St. Sulpice	Louis Lemonde	Do.	100
Do.	Francis Perrault (Mort)	Do.	100
De Isle Jesus	Francois des Maison	Do.	100
Do	L. Madere *dit* Létourneau	Do.	100
Do	Michel Tourville	Do.	100
Do	Augustine Daze pere	Captain Militia	200
De Montreal	Etne Duchenois *dit* Lajoie	Sergeant	200
De La Valtrie	Antoine St George	Soldat	100
De St. Sulpice	Louis Granbois	Do.	100
Do	Joseph Cadieu	Do.	100
De Isle Jesus	Ignace Frateau	Do.	100
Do	Guilleaume Gravel	Do.	100
Machiche	Jean Carles	Serjeant	200
Rivière du Chene	Samuel Mackey (Mort)	Captain	700
De Montreal	Frans. Xavier Bender	Dr. Lieut	500
Au Detroit	Langlade	Lieutenant	500
De la Pte. du Lac	Andr. Camirand	Soldat	100
Do	Charles Texier	Do.	100
Do	Etienne Duval	Do.	100
Do	Frans. Laffleur	Do.	100
De Soulange	Paschal Girard	Do.	100
De Montreal	Joseph Robt. *dit* Namier	Serjeant	200
De la Mascouche	Pierre Beauchamp	Captain Militia	200
Nouvelle Longueil	Paul Robillard (Mort)	Serjeant	200
De Soulange	Giles Guerbois	Soldat	100
De Sorrel	Jean Mars Amiot	Do.	100
De Berthier	Claude L'Abbe	Do.	100
De Varenne	Amible Richard	Do.	100
Rivière du Loup	Michell Beausien (Mort)	Captain Militia	200
De Montreal	Etienne Lang	Soldat	100
De L'Assomption	Bapte. Jean Vaine	Serjeant	200
De Boucherville	Pierre Briquet	Soldat	100
De St. Cuthberts	Jean Marie Paquin	Do.	100
Beauharneau	Joseph Bernier	Do.	100
De Beauport	Ant. Juchereau Duchesnay	Captain	700
Rivière du Loup	Abraham De Marrais	Do. Militia	200
	Total		8,000

The portions of the correspondence calendared in this report include the transactions in the two Provinces of Upper and Lower Canada during the years immediately succeeding the division of the old Province of Quebec. Affairs in the two Provinces were so closely connected that it has been found necessary to give abstracts of the documents relating to each for the same period, so as to present an intelligible and consecutive history of occurrences. Lists of the names of the early settlers, referred to in previous reports on the documents, down to the close of the first well marked period after the conquest (1760 to 1791), are now given showing, to a very considerable extent, the gradual settlement of Upper Canada, now Ontario, besides

that of Lower Canada during the same period. An account of the origin of the population in the old Province of Quebec, from Champlain's time downwards, in respect to the French and Catholic immigrants and their descendants, has been so fully given, especially by Mgr. Tanguay in his "Dictionnaire Généalogique," that nothing can be added in this report on that point. Where lists are given of settlers in townships specially mentioned, they are arranged in these townships alphabetically, with the exception of the names of the officers, which are given in each list according to rank. Where no special township lists are entered, the names of petitioners and grantees in each volume have been arranged alphabetically, which admits of easy reference. To do more than this or to prepare a complete alphabetical single list of all the names in every volume was not possible in the time available for preparation. The names of the settlers referred to in the reports on the volumes calendared in previous years, together with exploratory surveys in Upper and Lower Canada, towards the Bay of Chaleurs and in the Maritime Provinces, &c. are to be found in note A.

The rules and regulations for granting the waste lands of the Crown may be found noted in the calendars, to which, therefore, inquirers are referred. The summaries of the letters respecting so important a period in the history of Canada are very full, in order to afford as much information as is consistent with the avoidance of excessive bulk in the report. The importance attached to the systematic settlement of the lands in Upper Canada, which, up till 1784, was an almost uninhabited wilderness, is evident by the correspondence of Simcoe, the first lieutenant governor, and of Mr. President Russell, who administered the Government of the Province in the interval between Simcoe's absence, and the accession of General Peter Hunter. Simcoe, especially, appears to have been actuated by the most anxious desire for the advancement and prosperity of the Province, and lost no opportunity of enforcing his views on Lord Dorchester, the Governor General, and on the Imperial Government, many of his proposals being, however, met by Lord Dorchester, in the opinion of Governor Simcoe, with great coldness and indifference. The tone of Simcoe's letters to the Colonial Secretaries gives evidence of disappointment at the want of appreciation his efforts met with, some of them charging Lord Dorchester with ignorance as to the proper measures, civil or military, that were necessary for the security, advancement and prosperity of Upper Canada. On this subject Lord Dorchester wrote to the Duke of Portland on the 10th of April, 1795, referring to a dispatch he understood Simcoe had sent to His Grace :—

In a former letter he (Simcoe) expressed himself as having a "Right to expect" those alterations to take place which were intimated to me in Mr. Dundas's first letter. But as I did not think it necessary for a commander-in-chief to enter into an explanation of his conduct with an officer under his command, on general suggestions, they passed without notice, till his views came forth more fully dilated, with much solemnity requiring me to change the constitution of the Indian Department. I no longer hesitated to lay before him the whole matter with my opinion thereon (Q. 71–2 p. 449).

The answer to Governor Simcoe was in sharp terms and was equally sharply replied to. Dorchester apparently feeling that he was not supported by the ministry, had determined to retire and wrote on more than one occasion to the Duke of Portland urging that his resignation should be accepted. On the 25th of April, 1795, he wrote :—

The motives for sending me here in the year Eighty six, and the policy then approved and adopted being now totally changed, I should in consequence have begged leave to retire from the Command, even if it had not been so broken and inverted, that Prudence requires I should temporize till the arrival of my successor and contract my interference within as narrow limits as possible. (Q. 71–2 p. 462).

He then urges his advanced age and his fifty three years service, as additional reasons for his applying to be relieved of his onerous duties so that he might retire into private life. Dorchester's dissatisfaction with the whole colonial system adopted after the division of the Province, may be seen by reference to his letter No. 22, of the 20th February, 1795, (Q. 71–2 p. 313); an extract from this letter will show its spirit. After stating his expectation that the Governor General would be the channel of communication for all the Provinces he continues :—

A different system has been since adopted, tending to revive the old colonial practice, which from an early period prepared, and gradually rendered all things favourable for leaders of Rebellion, to usurp from Government the confidence and gratitude of the people, and ended in revolt and dismemberment of the Empire.

The whole letter should be carefully read.

Whatever view may be taken of the propriety of his correspondence as a military officer subject to the orders of the Commander-in-chief, his superior officer, it is evident that according to the system adopted by the Colonial office, Simcoe acted as lieutenant governor in the most vigorous manner for the settlement of the country and spared no labour to become acquainted with the extent and character of the Province in an agricultural point of view, as a home for a vigorous population, and to ascertain and take advantage of the best methods of opening up communication throughout the country. The summary of his letters in the calendar will give a fair view of his ideas on the subject and of the means he took to carry them into effect. Even before his assuming office and whilst still in London, but after his appointment, he laid his plans before the ministry very fully (see Q. 278) and among his memoranda is the following on "The objects that may be worth the attention of the new settlers in upper Canada." (Q. 278, p. 338) :—

1. Growing Hemp and Flax.
2. Supplying the Indian Market with Rum from parsnips, &c.
3. Discovering the best situations for Iron Forges.
4. Making salt at the Salt Springs in the High Countries.
5. In building all villages and even farm houses, they should have the idea of placing them in such a manner as they will admit of being defended by a few men against a number. This would be particularly necessary in those situations, where they are likely to be attacked by the Indians or N. Americans.

The proclamation, which stated the terms and conditions on which the waste lands of the Crown would be granted, did not appear to contemplate the intervention of middle men, or associated companies, to secure grants of large tracts of land to be disposed of by them to actual settlers, at a profit to the partners. An inspection of the correspondence and other documents will, however, show that immediately after the division of the Province, the system was in full vigour, and was attended with prejudicial consequences to the settlement of the country. Much of the hostility between Prescott, who succeeded Lord Dorchester on the 18th June, 1796, and his Executive Council, arose from this cause. The tone of Prescott's letters on the subject may be seen from the following extract in reference to applications for losses suffered by delays in issuing patents for lands :—

Those of the applicants who have planned in their imagination great schemes for accumulating land on principles of monopoly and speculation, and were, to that end endeavouring to elude the spirit and intent of His Majesty's Royal Instructions, by getting the lands granted to such persons only as would previously enter into covenants to convey the great bulk thereof to them, as soon as the grant should pass, will, very probably, be much dissatisfied at finding their schemes frustrated, but the discontents will be for the most part confined to this class of the applicants, and I cannot but entertain the fullest hopes that when I may be honoured with Your Grace's answer to my letter No. 67 of the 16th December, containing my ideas respecting the manner of conducting the sales, I shall soon be able to bring into practical effect His Majesty's gracious intentions of raising, by the disposal of the waste lands in future, an important fund towards defraying the Civil Expenditure of the Province. Should Your Grace be troubled with representations from the last mentioned class of applicants, who may perhaps be desirous of preventing these gracious intentions of His Majesty from being carried into effect, I may perhaps find it my duty to unfold circumstances, which I should otherwise wish might lie buried in oblivion. (Q. 80–1, p. 189).

The letter above referred to as No. 67 deals at great length with the question of the disposal of waste lands to the best advantage to the Province and to the purchasers. The propriety of disposing of the lands by sale except in the case of persons entitled to grants is strenuously urged by Governor Prescott. One of the abuses practised under the existing law is thus described by him in that letter (No. 67), which is dated 19th December, 1797:—

The more I consider the subject, (that of disposing of the waste lands by sale,) the more I feel convinced of the advantages that must, in every point of view, accrue from that mode of disposing of them, as a general rule, in preference to the granting of them to persons petitioning.******** The practice of petitioning in borrowed names (a practice which cannot be prevented under the ancient system) gives every advantage to people who may be disposed to monopolise the land for the purposes of speculation. Industrious farmers who would wish to obtain a grant for the purpose of actual settlement, but who cannot spend their time in tedious solicitation, stand little chance of obtaining it, compared with speculators who can devote their time to the attainment of this object. By disposing of the land at public sale industrious farmers would have an equal chance with any other competitors (Q. 80-1 pp. 28.29).

In order to prevent the introduction and spread of a system of collusion which had grown up in the neighbouring States, Prescott proposes a very stringent regulation. The practice referred to may be stated in his own words:—

In the sales that have been made of public lands in some of the neighbouring States, there have, I am informed, been instances of collusion between the Commissioners of Sales and certain speculative purchasers; so much to the detriment of the public and of well disposed individuals. These collusions were managed by making a temporary adjournment when the people intending to purchase were all met, and opening it again when none were present but those concerned in the collusion. (Q. 80–1 p. 46).

That a state of things similar to that in Lower Canada existed in Upper Canada is plain from the letter of Mr. President Russell to the Duke of Portland. In this letter (No. 69 of the 18th, July, 1799) Mr. Russell says:—

The Council and myself are exceedingly happy that your Grace appears to approve of the steps we have taken to get rid of the pernicious system of settling the waste lands of the Crown by appropriating large tracts to associated companies, and our determination to proceed in future in making grants to individuals only.

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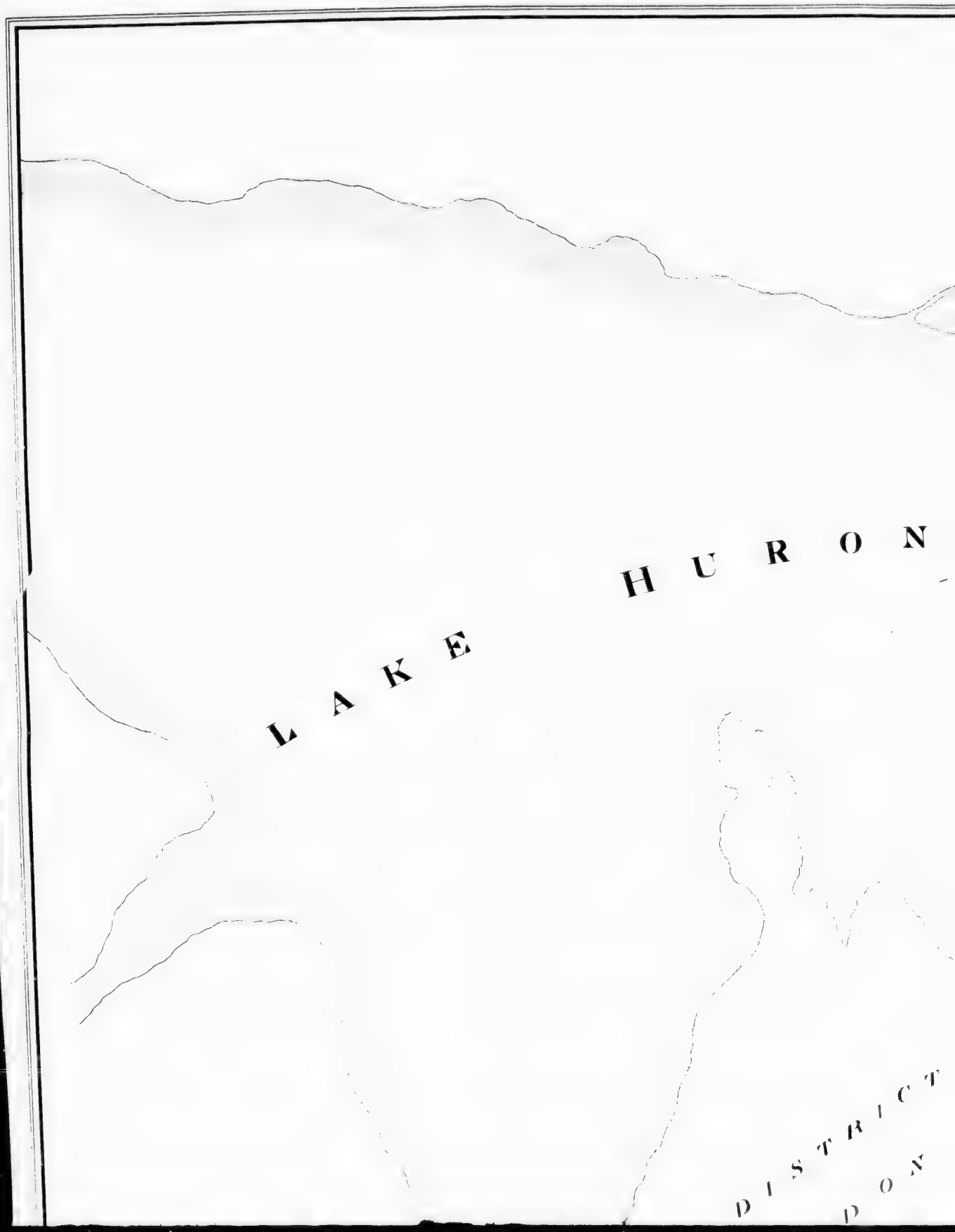
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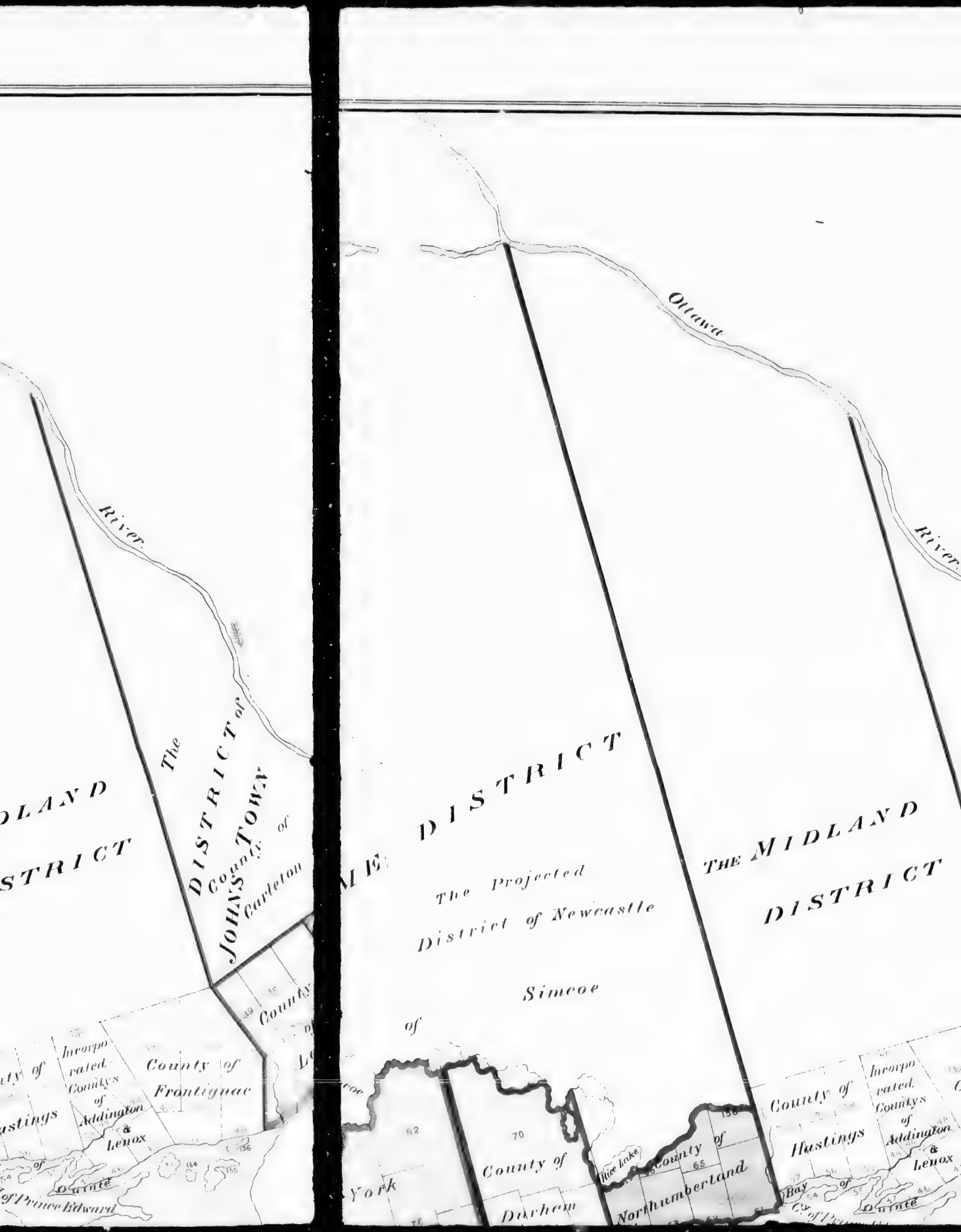

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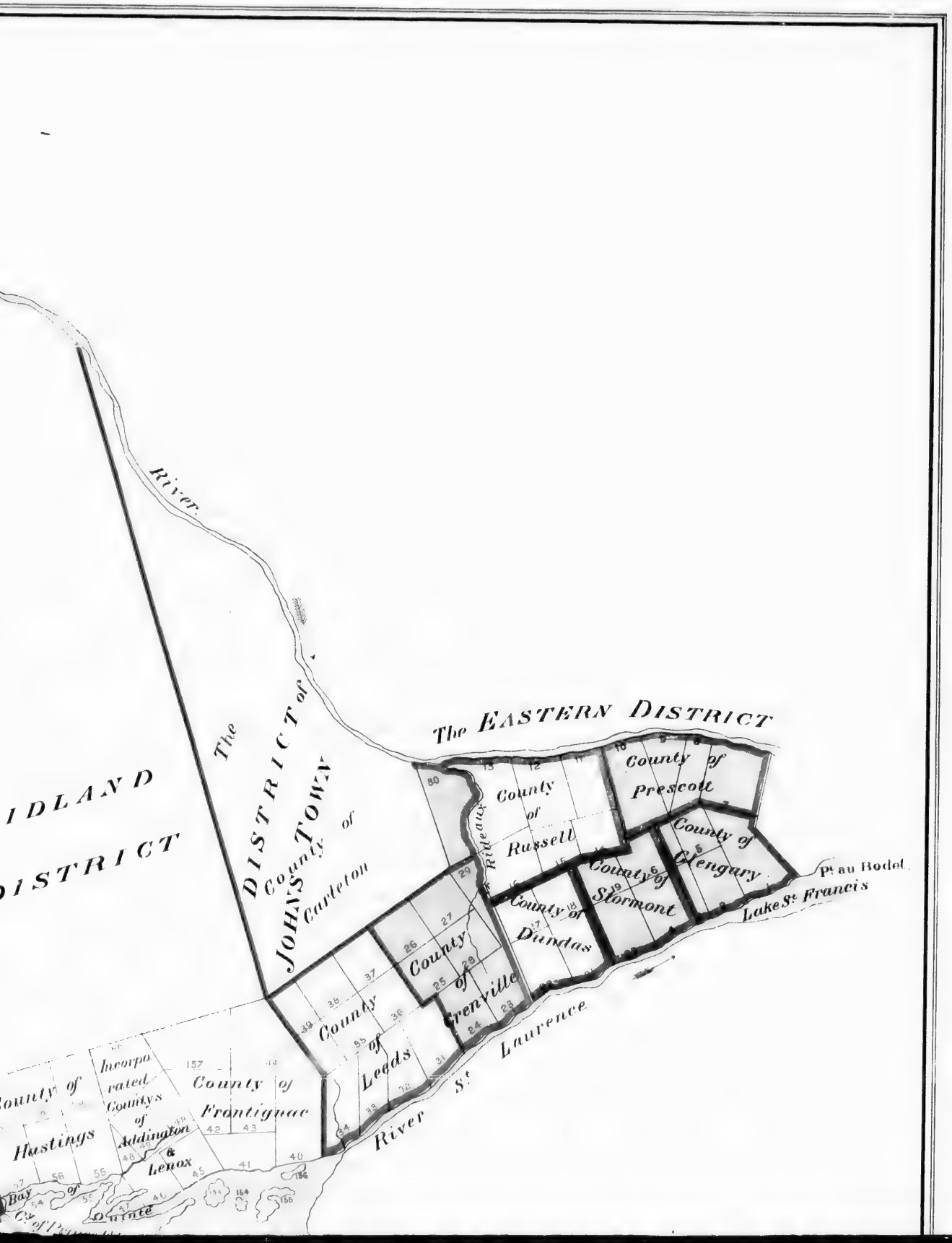
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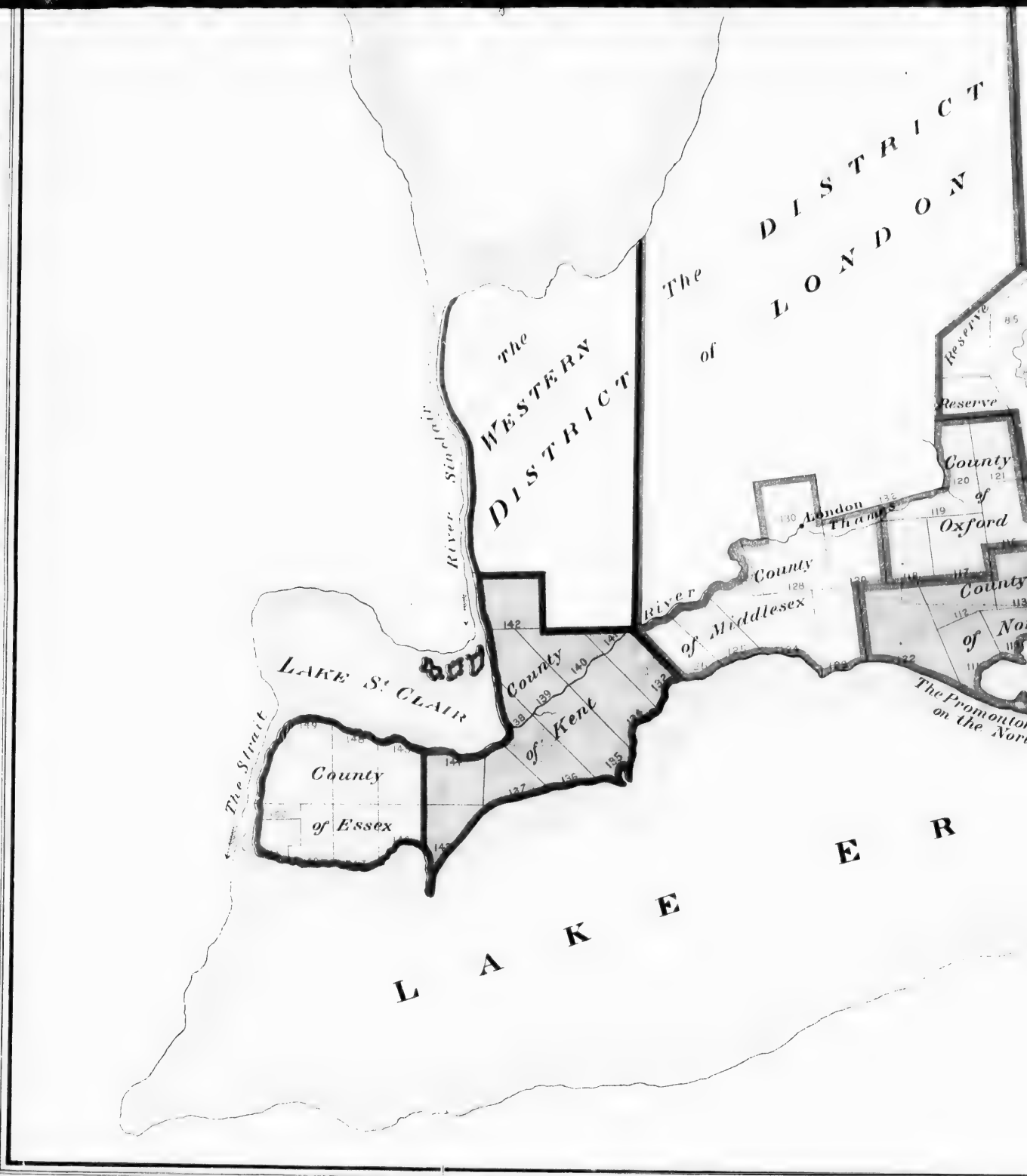
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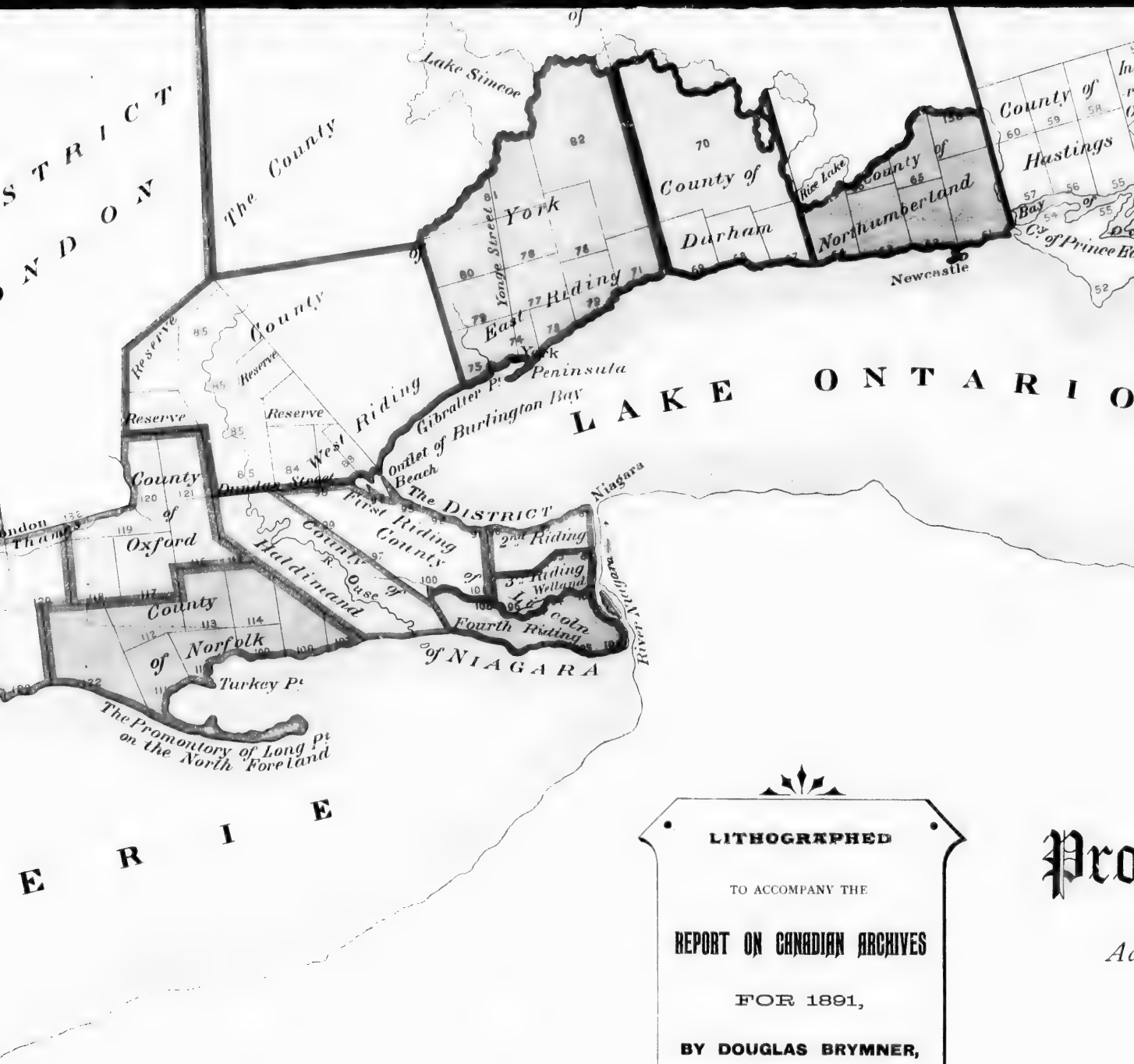

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REPORT ON CANADIAN ARCHIVES

FOR 1891,

BY DOUGLAS BRYMNER,

ARCHIVIST.

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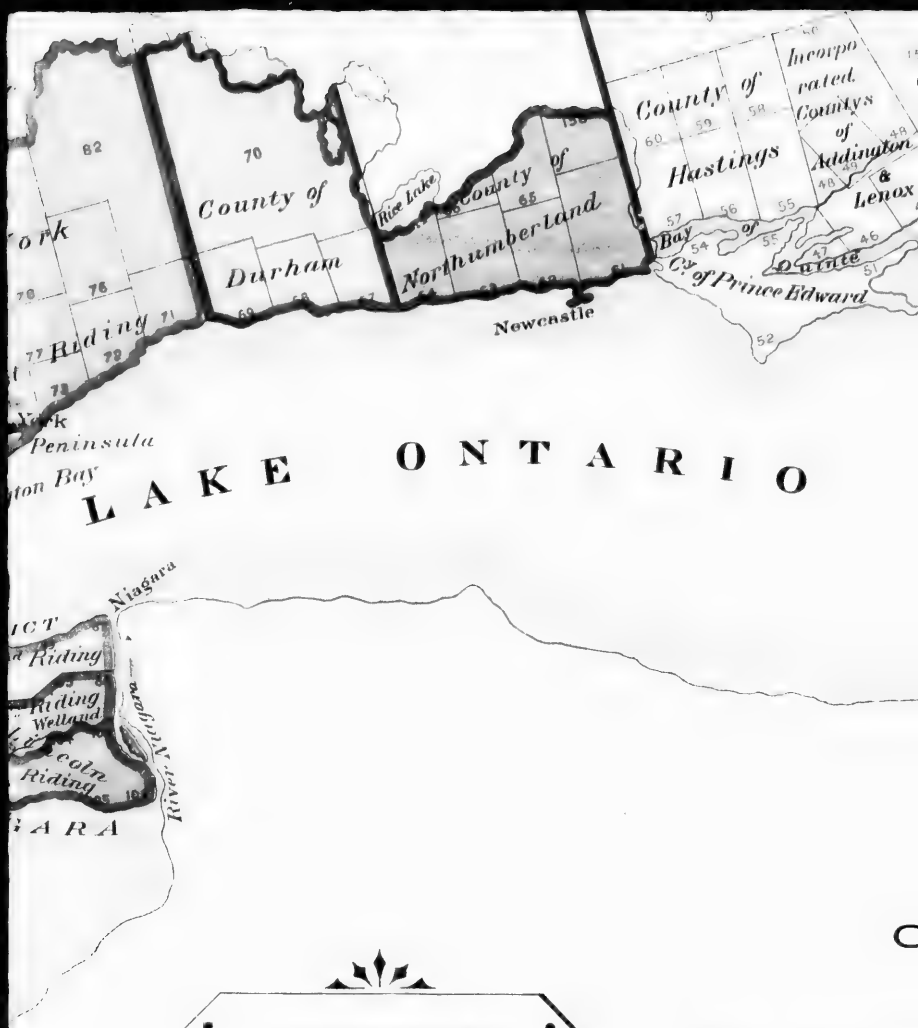

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D. H. Smith, Chief Surveyor of Lands
Act. Gen. Surveyor General
Upper Canada,
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But even in the latter case it has not been always in our power to counteract the schemes of speculators and land jobbers, who are constantly practising a thousand different arts to evade our vigilance, particularly by purchasing the rights and claims of U. E Loyalists and Military claimants, to whom the faith of Government has been pledged for specific quantities of land (Q. 286–1, p. 213).

In volume 284 of series Q are various documents relating to the method of disposing of the lands, of making the Crown and Clergy reserves productive, the proceeds to be applied to the expenses of civil government in the Province, forms for books of registry &c. These can be easily discovered by referring to the calendar of that volume, which contains Governor Prescott's plans for both Provinces, as well as the opinions and suggestions of the administrator and council of Upper Canada. The whole history of the land transactions may be traced by reference to the calendars of the other volumes.

Great care appears to have been taken by Governor Simcoe to have maps of the Province and of portions of it prepared by the Surveyors. The first of these, a "sketch of the river St.-Lawrence from the Cedars to lake Ontario", was transmitted by him on the 4th of November, 1792, as an assistance in determining the boundary there between Canada and the United-States (Q 279—1 p 11 ; the map at 71 *a*). The other maps and plans may be found by reference to the calendar. A few of the largest size have been bound separately. A map was prepared in 1795, by Mr. Chewitt, surveyor, with the title: "Plan of the Province of Upper Canada divided into Counties, by order" &c. &c." (Q 281—2 p 429 *a*), but the one prepared by Mr. D. W. Smith, surveyor, in 1798, although on a smaller scale, being much more detailed, has been selected for publication in this report. (See Q 285 p 5 *a*).

The following Reference Table gives the names of the townships as indicated by numbers on the Map.

1. Lancaster.
2. Charlottenburg.
3. St Regis Indians.
4. Cornwall.
5. Kenyon.
6. Roxborough.
7. Hawkesbury.
8. Longueuil.
9. Alfred.
10. Plantagenet.
11. Clarence.
12. Cumberland.
13. Gloucester.
14. Cambridge.
15. Russell.
16. Osgoode.
17. Mountain.
18. Winchester.
19. Finch.
20. Osnabruck.
21. Williamsburg.
22. Matilda.
23. Edwardsburg.
24. Augusta.
25. Wolford.
26. Montague.
27. Charlborough.
28. Oxford on Rideau.
29. Gower.
30. Nepean.
31. Elizabeth Town.
32. Yonge.
33. Lansdown.
34. Leeds.
35. Bastard.
36. Kitley.
37. Elmsley.
38. Burgess.
39. Crosby.
40. Pittsburgh.
41. Kingston.
42. Portland.
43. Loughborough.
44. Bedford.
45. Ernest Town.
46. Fredericksburg.
47. Adolphus Town.
48. Richmond.
49. Camden (East.)
50. Sheffield.
51. Marysburg.
52. Hollowell.
53. Sophiasburg.
54. Ameliasburg.
55. Mohawks.
56. Thurlow.
57. Sidney.
58. Hungerford.
59. Huntingdon.
60. Rawdon.
61. Murray.
62. Cramahé.
63. Haldimand.
64. Hamilton.
65. Percy.
66. Alnwick.
67. Hope.
68. Clarke.
69. Darlington.
70. Space for townships.
71. Whitby.
72. Pickering.
73. Scarborough.
74. York.
75. Etobicoke.

76. Uxbridge.
77. Markham.
78. Whitchurch.
79. Vaughan.
80. King.
81. Gwillimbury.
82. Space for townships.
83. The Flamboroughs.
84. Beverly.
85. Mohawk Sales.
86. 5 Nations.
87. Newark.
88. Grantham.
89. Stamford.
90. Louth.
91. Clinton.
92. Grimsby.
93. Saltfleet.
94. Barton.
95. Thorold.
96. Pelham.
97. Binbrook.
98. Ancaster.
99. Glanford.
100. Caistor.
101. Gainsborough.
102. Bertie.
103. Willoughby.
104. Crowland.
105. Humberstone.
106. Wainfleet.
107. Rainham.
108. Walpole.
109. Woodhouse.
110. Charlotteville.
111. Walsingham.
112. Middleton.
113. Windham.
114. Townsend.
115. Burford Gore.
116. Burford.
117. Norwich.
118. Dereham.
119. Oxford-on-Thames.
120. Blandford.
121. Blenheim.
122. Houghton.
123. Yarmouth.
124. Southwold.
125. Dunwich.
126. Aldborough.
127. Delaware.
128. Westminster.
129. Dorchester.
130. London.
131. } Spaces for future
132. } townships.
133. Oxford–South.
134. Howard.
135. Harwich.
136. Raleigh.
137. Tibury—East.
138. Dover.
139. Chatham.
140. Camden—West.
141. Orford—North.
142. Shawanese.
143. Romney.
144. Tilbury—West.
145. Rochester.
146. Mersea.
147. Gosfield.
148. Maidstone.
149. Sandwich.
150. Colchester.
151. Malden.
152. Hurons.
153. Amherst Island.
154. Gage Island.
155. Wolfe Island.
156. Howe Island.
157. Hinchinbroke.
158. Seymour.

Among the applicants for large tracts of land in Upper Canada was Benedict Arnold whose name is well known in connection with that of Major André. His applications were in the most urgent terms, and his claims on account of his services were frequent and pressing. In a letter to the Duke of Portland, dated the 2nd of January, 1797, he writes "that there is no other man in England that has made so "great sacrifices as I have done, of property, rank, prospects, &c., in support of "Government, and no man who has received less in return," and further: "I have "the strongest possible claim on the faith, justice and honour of the nation for some "further compensation and provision for myself and family." (Q. 79–2, p 427). The specific amount of land he considered himself entitled to is stated in a letter to Mr. John King, Under Secretary of State, enclosing a letter to the Duke of Portland, with a similar statement. In these he says that the usual allowance to field officers was 5,000 acres and to each member of their families 1,200, showing him entitled, on this basis, to 14,600 acres. "But," he adds:—

As I commanded a Legion consisting of one regiment of Cavalry and one of Infantry which I was at a great expense in raising, I think myself fairly entitled to 10,000 acres, as majors only have received 5,000 acres. (Q. 81–2 p. 536).

In other words, he desired to obtain about 20,000 acres in Upper Canada, upwards of thirty one square miles. In July, 1797, however, in a petition to the King, Arnold asks for 10,000 acres in Upper Canada for himself and 5,000 each for

his wife and seven children, being 50,000 acres in all. In support of this claim he gives an estimates of his losses, which is here reproduced in a slightly abridged form.

Loss of real and personal property.....	£16,000
Half pay that he was entitled to, £405 sterling per annum, in lieu of which 10 years purchase has been paid to other officers.....	4,050
Lands promised by Congress and received by other officers of his rank, worth at least at the time.....	10,000
	£30,050

N. B. The before mentioned lands are worth at the present time, thirty, or forty thousand pounds (Q. 283 p. 327).

Other correspondence follows. The petition above referred to is at page 325, with correspondence, &c., to page 334, 337 to 341, and at page 345. One condition on which Arnold was very pressing was, that he should not be obliged to come to Canada to take possession of his land; another, that the grant might be made general, so that he could select his land in any of the British provinces in which land was available. Some correspondence was exchanged between Mr. King and General Simcoe, and the remarks of the latter in his answer of the 26th of March, 1798, are very clear as to the estimation in which Arnold was held by the contemporary loyalists. In this Simcoe says:—

To answer your first query is there any objection to Arnold and his children having any grant of lands in Upper Canada?—I say, there is no *legal* impediment (on American grounds), provided they have not already had any grant in the Province of New Brunswick, but General Arnold is a character extremely obnoxious to the *original* loyalists of America; his not intending to reside in Upper Canada does away in some measure that objection (Q. 225, p. 417).

Further remarks on Arnold appear to be unnecessary.

On the 17th of May, 1794, is the following entry in the minutes of Council on the waste lands of the Crown:—"William Berczy and Associates. Memorial proposing to bring foward two thousand families and praying for a grant of one million of acres. Ordered:—That a tract of land to the extent of sixty-four thousand acres be granted, and that when they shall be properly settled, the petitioner may be at liberty to make further application."

In January of 1792, William Berczy published a prospectus showing the benefits arising from the purchase and settlement of 800,000 acres of land in the State of New York, bought at the rate of two shillings and three pence sterling or £90,000 less £10,000 allowed by the seller, being an actual cost of £80,000. The net profit for seven years with accumulated interest was shown, by the prospectus, to be £179,939. 8. 4., the prospectus winding up with the assurance that "not even the shadow of risque attends the object, and consequently the dread of loss can never occur, to occasion a moment's anxiety to those who can spare the money for a few years and shall chuse to invest it in this species of property." Encouraged by this prospectus an association appears to have been formed, and a number of German settlers fowarded to the Genesee Valley, which they reached about the middle of November, 1792, and found no preparations made for their reception. According to a remonstrance to Berczy, dated Genesee, 6th August, 1793, signed by George

Siegmund Liebich, their minister and 52 husbandmen, Captain Williamson, mentioned in Lord Dorchester's correspondence, had engaged to have ready shelter, provisions, tools and every material necessary for their comfort and for clearing their land, but nothing had been prepared for their reception and but for Berczy's energy in obtaining provisions, the newly arrived settlers would have starved. The original document in German, with the signatures, is among the Archives, with a translation, evidently by the minister, Mr. Liebich. An extract from the third and part of the fourth section of the remonstrance states in somewhat German English:—

By our arrival we found not according to the promises of the association, some Houses ready to shelder os against the Rigor of the Weather and to preserve our vittels. Had we arrived all toghether as it was to be expected, especially if all the People engaged in Germany had arrived it had occasioned the greatest Distress, because if you (Berczy) had not purchased a House from an Inglish Settler it had been impossible to lodge even the 50 men which are arived the first, as it existed from Captain Williamson's side only two smal Huts not able to contain 25 Persons.

By our arrival it existed near no Tools at all at Williamsburg, only the 30 men which came from the Painted Post had axes or some other Tools as Hoes Grobbing Hoes or Spades. Bot those from the friends' Settlement had all together only four axes, so that 26 men remained entirely without any Axe it all for near five weeks and they were obliged to work in the Woods where an axe is the first of all Implements.

The rest of the remonstrance is to the same effect, no shelter, no furniture, not even pails for water. Capt. Williamson had agreed to build saw and grist mills, a promise, it is complained, he did not carry out, and "Besides all that" says the remonstrance, "Capt. Williamson has hindered you to provide with for yourself nor "for os some Boards from any other place," than from Bath, a small settlement at which Captain Williamson lived and where he had a saw mill. The evidence all goes to contradict the statement by Liancourt, quoted by Dr. Scadding in "Toronto of Old" p. 108, that these settlers had been subsisted at the expense of Capt. Williamson.

In a petition to the King by William Berczy, describing himself "of York in the Province of Upper Canada" dated 27th March, 1798, after stating that the names of his associates were Dederic Conrad Brauer and Charles Lewis Brauer and son, of Bremen, and that the Council had consented to grant 64,000 acres, instead of the million asked for, he continues, that he proceeded to the State of New York, where his people were waiting and in June, 1794, brought more than 60 heads of families to Niagara. Other settlers followed, but, as Berczy alleges, he heard for the first time in October, 1796, that no deed or grant could be issued either in his behalf or in behalf of any of his settlers until after seven years uninterrupted residence in Upper Canada, he and they being aliens. The confidence felt by Berczy and his leading associates is evident from the remonstrance from Genesee, in which Berczy's exertions in favour of the remonstrants are cheerfully acknowledged, and from the following statement in the petition to the King, the truth of which is strongly corroborated by the narrative contained in the remonstrance. The petition says:—

These settlers altogether with their respective families I have supported in the Province of Upper Canada with all necessaries of life for sixteen months and the greatest part of them for near two years; I have stocked their farms with cattle and other implements and maintained at my expense for their Divine worship a Parson and for the preservation of their health a Physician with physic during three years and besides these excessive expenses, I have sacrificed all my time since I

arrived in the Province of Upper Canada in advising and leading that beginning colony which at present is in a thriving way.

The township of Markham or the German settlement, founded by William Berczy, to the ruin of his own fortunes, became prosperous and continued as stated in the above extract, to be in "a thriving way." In Smith's "Canada, Past, Present and Future," it is said, that the township of "Markham has long been noted for the "advanced state of its settlement and agriculture," (Vol. II, p. 42). It has steadily grown in wealth and population. A collection of original papers, relating to the settlement, presented to the Archives by Mr. Justice Baby, of Montreal, has been arranged and is now bound in two thick volumes. By means of these papers the whole history of the project by Berczy for founding this German settlement can be traced, and amongst them are plans showing the lots with the names of the original settlers, besides lists, title deeds, and other documents, which may be of invaluable service to a local historian.

In the report on Archives for 1888 is a sketch of the abortive attempt to form a settlement of French Royalists under the leadership of the Count de Puisaye. Other documents are in the volumes calendared in this report. In addition to the documents published in the report for 1888, is the proposal by the Missisaugas to transfer their lands to Government for the occupation of the French Royalists, but at a price much in excess of what the Governor and Council considered it to be worth, and in consequence the offer was rejected.

The occupation of the King's Posts, as is evident from the exertions made by different mercantile houses, was regarded as a valuable privilege. Reference may be made to Lord Dorchester's letter to the Duke of Portland (No. 72) dated 26th October, 1795, on this subject, in which His Lordship calls attention to the propriety of terminating the existing lease, which expired on the 1st of October, 1796, but could be held till 1802, unless notice to quit was given by order from the Lords of the Treasury, before the expiry of the lease (1st October, 1796). The existing rent was £400 currency equal to £360 sterling, but His Lordship believed on good grounds that the Posts on the Labrador coast would produce much more if the lease were fairly put up to the highest bidder. (Q. 74—2 p. 289). Both from economical and political reasons His Lordship believed the Posts should be turned to the best account, "as well for the immediate benefit of the Provincial Revenue of the Crown "as for the purpose of depriving promoters of sedition of a pretext for declaiming "against the King's Government" (p. 290). The text of the lease of the 21st of June, 1786, is in the same volume from page 291 to 305.

The question of the rights of the Indians to the land they occupied was one of two causes of irritation left on the conclusion of peace in 1783. The other was the retention of the frontier posts situated within the territorial limits assigned to the new power. These posts were retained till 1796, on the ground that the United States had not fulfilled on their part the terms which they had solemnly engaged to carry out. These two questions made the position of the Governors of the Provinces of Canada one of very great delicacy and difficulty, the Indians constantly pressing for military help against the United States, which it was difficult to refuse and impossible to grant, except as a direct declaration of war, which it was the interest of all parties to avoid, and yet which seemed repeatedly to be inevitable.

In order to force the settlement by the Indians of claims set up by the United States, an expedition against them was organised under the command of General St. Clair, in the spring of 1791. On the 4th of November following, St. Clair's force sustained a disastrous defeat, in which according to Alexander McKee, Indian Superintendent, St. Clair's troops lost all their artillery, baggage, ammunition, &c., &c., &c., and 1,200 men killed, but subsequent information received by McKee showed the latter loss to have amounted to 1,500 (Q. 58-1, p. 222). The loss of the Indians was only 20 or 21 killed and 40 wounded (p. 224). The charge by writers in the United States that Brant led the attack, is disproved by McKee's account, in which he states that Du Quania and a party of 10 men were the only Six Nation Indians who came to the assistance of their friends. (Q. 58-1 p. 224). Brant's account of the battle, and of the preliminary attack confirms this, as he writes as a looker on, not as a leader. Neither says distinctly that he did not lead, but the fact that the force consisted exclusively, or nearly so, of Western Indians, is of itself almost sufficient proof that Brant was not the leader, independent of McKee's statement that Du Quania and ten men were the only contingent from the Six Nations, to one of which Brant belonged. Thayendenaga, or Joseph Brant, is stated by his biographer, Mr. William L. Stone to have been one of the advisers of Little Turtle, commanding the Indians who defeated St. Clair, (Life of Brant Vol. II, p. 312), which is not impossible, although only given on the authority of one of Brant's descendants, but the statements on page 313, of the same volume, that 150 Mohawk warriors were engaged in this battle, is distinctly contradicted by McKee, who gives the number from the Six Nations as above, that is ten, or with their leader, eleven in all. The correctness of McKee's report is further confirmed by Mr. Stone when he says that "the "Government of the United States was sadly at fault as to the numbers and tribes of "the Indians who fought this battle." The repetition of errors once committed is one of the evils of writing history without exercising the most ordinary care. A recent history, published in New York in 1885, attributes to Brant the attack on Wyoming, a statement made by Campbell in his "Gertrude of Wyoming," for which he was obliged to apologize as being unfounded, so that it was not an error in history which had passed unchallenged. Gordon's account, "History of the United States," London, 1778, is the one usually relied on, and it was from it, apparently, that Campbell drew his inspiration. In this account Brant (Brandt he is called), is described as a half blooded Indian, of desperate courage, ferocious and cruel beyond example (Vol. III p. 185). The force under Butler and Brant is stated to have consisted of 1,600 men "near a fourth Indians, the others so disguised and painted as not to be distinguished from the Indians," &c., (p. 187). Butler's own account in the report he made to his commanding officer Lieut. Col. Bolton, gives the total force as 500 men including Indians, under the command of their own chief, Suingerachton, Joseph Brant not being there. Suingerachton was a Seneca chief, reported by Lt. Colonel Mason Bolton as having unlimited command over the Six Nations. (B 100, p. 17). In contradiction to the reports which pass for history, Butler's words may be quoted. After stating the damage that had been done to the settlements, the capture of the forts, &c., he says, that "What gives me the sincerest satisfaction is that I can with "great truth assure you that in the destruction of this settlement not a single person "has been hurt of the inhabitants but such as were in arms, to those indeed the Indians "gave no quarter." The full account is among the Archives in series B, vol. 100,

beginning at page 38, and, being an official report to his superior officer, there can be no just reason to discredit it.

Disastrous as was St. Clair's defeat, it would have been still more so, but for the Indians having indulged in their usual love of plunder. Brant in his account of the battle, after stating that St. Clair had partially succeeded in checking the Indians, says, " that those who formed the centre getting into the middle of the " camp attacked the body under St. Clair who gave way leaving their cannon and " camp in possession of the Indians. Before 8 o'clock the engagement in the camp " was over and a few Indians pursued who did a great deal of mischief *but the* " *greatest part took to plundering the camp.*" (Q. 58–1 p. 227.) Among the plunder was a large collection of letters from the United States War Office, addressed to St. Clair and other officers, besides private correspondence. Copies of the most important of these were sent by McKee to head quarters. A sufficiently full abstract of the captured correspondence is given in the calendar forming part of this report to make it serviceable.

The defeat caused dismay in the frontier settlements and great disappointment throughout the States. According to St. Clair, the agitation in the public mind was " increased by bitter calumnies, gross misrepresentations and vile falsehoods, spread " abroad to every region by means of the public prints, and every species of miscon- " duct was attributed to me." (St. Clair's Narrative introduction p. vii). A writer, friendly in words at least, to St. Clair, says that the army was certainly taken by surprise (Inlay's Western Territory, 1797 p. 286). This assertion, which appears to have been given from rumour alone, was indignantly denied by St. Clair, who throws the whole blame on the War Office which, he contends, had by vacillation and delay been the real cause of the defeat. The captured correspondence to be found in Q. 58–1 and additional documents in other volumes, throw great light upon the real state of the case and may be consulted with advantage by those who desire to investigate the matter more fully than can be done with the help of St. Clair's Narrative alone.

In the course of the correspondence, a letter from the United States War Office warns St. Clair not to incur the risk of a war with Great Britain. The words of the letter will show the motives which led to this order :—

We must by all means avoid involving the United States with Great Britain, until events arise of the quality and magnitude as to impress the people of the United States and the world at large of the rank injustice and unfairness of their procedure. But a war with that power in the present state of affairs would retard our power, growth and happiness beyond almost the power of calculation.

The British Government had meanwhile been making efforts to bring about a peace between the United States and the Indians, but offers of mediation were steadily refused by the former. The tone of the letters from the administration of the United States left no doubt on the minds of the Governors of the British Provinces that a hostile feeling existed. Governor Clarke, writing to Governor Simcoe on the 21st of January, 1793, (Q. 62 p. 70), informed him that it was the earnest desire of His Majesty and his Ministers to avoid war and that Canada should cultivate a good understanding with her neighbours, and adds: " We should be particu- " larly cautious not to furnish the grounds of quarrel, that you seem to think and I " agree, Mr. Knox, in his instructions to General St. Clair, had in view as the most " popular of any they could desire." The attempts at conciliation were consistently

continued, but how near on repeated occasions the two countries were brought to war can be seen by an examination of the correspondence. St. Clair was deprived of his command and Wayne succeeded. The difficulties of maintaining peace were largely increased by this appointment, Wayne's language and actions being both of a nature to arouse hostility, if they were not directly intended and calculated to bring about such a state of feeling as would lead to an open rupture, and Pickering was not behind him in violence of language (See Series C. vols. 247 and 248, Indian papers).

To add to the difficulties, the policy of the United States appeared to be to settle the immediate frontiers, so as to render untenable the Posts retained until the United States carried out the terms of the Treaty of 1783. At Oswego, along the St. Lawrence and on Lake Champlain, disputes were almost constant. Vermont assumed jurisdiction over territory in the neighbourhood of Missisquoi Bay, and an examination of the correspondence will serve to show how slight an act of imprudence on the part of the British Officers would have involved the two countries in war. In the report on Archives for 1890, in note E, "Relations with the United "States after the Peace of 1783," a collection of documents was published in full and should be read in connection with the correspondence calendared in the present report. For the further transactions with the Indians, their defeat of Wayne and subsequent treaty with him, in which the Indians alleged he inserted clauses which had not been agreed to by them, and the amicable settlement between Great Britain and the United States, negotiated by Jay in 1794, reference may be made to the calendar. Pickering's Treaty with the Six Nations is in volume 247 of series C at page 320, in which the names of all the chiefs are given, as well as the names of the witnesses. The attesting clause is in these words: "Done at Konondaigua in "the State of New York, the eleventh day of November in the year one thousand, "seven hundred and ninety four." There is another copy certified by Col. John Butler at page 326, the one at the page 320 being certified by Joseph Chew, Superintendent of Indian affairs. There are two certified copies of the confirmation of the Treaty in volume 248 of the same series (C) one at page 16, the other at page 41, the confirmation being dated at Philadelphia on the 25th of January, 1795. One result of the war was the admission by the United States that the terms of the Treaty of 1783, so far as related to Indian lands, had been misrepresented. On this point McKee, in a letter dated at the foot of the Rapids (Miamis) of 22nd August, 1793, addressed to Simcoe, says:—

"The acknowledgement which the United States have at length made that the Indian Nations possess the property or right of the soil of all Indian lands, has convinced the Nations of the falsities long propagated that Great Britain had given away their country at the Treaty of Peace, and left them in a much worse condition than they were before the war." (Q 279—2 p. 542).

This statement of McKee's is confirmed by Washington's letter to Gouverneur Morris of the 21st June, 1792. (Writings of Washington, Vol. XII p. 34).

A week after the sailing of Lord Dorchester, 18th August, 1791, General Alured Clarke was sworn in and entered on his duties as Commander-in-chief. The entry in the Council Minutes, dated 25th August, 1791, is in these words: "The command "of the Province having devolved upon His Excellency the Lieutenant Governor, in "the absence of His Excellency the Right Honourable Lord Dorchester, Governor-"in-chief, he took the State oaths and declaration and the oaths of office." (Q 53—1

p. 195). On the 4th of August of the previous year, Lord Dorchester was informed that General Clarke was appointed Lieut. Governor (Q 45—2. p. 514). He arrived on the 7th of October and on the following day his commission as Lieut. Governor was published, he having on that day taken the oaths and his seat, the oath, noted above, subsequently taken being apparently from its terms and from the tenour of Clarke's letter, a supplementary obligation on his assuming the office of Commander-in-chief. On the 11th of November of the same year (1791) Simcoe arrived, bringing with him Clarke's restricted commission of Lieut. Governor of Lower Canada with copy of the new act and instructions for him to divide the Province of Quebec into the two Provinces of Lower and Upper Canada. In accordance with these instructions, a proclamation was issued that the division was to take place on the 26th of December. A copy of the proclamation is in Q. 58—1 p. 5. So far as the administration of Lower Canada was concerned, little difficulty was experienced in its primary organisation, but before the Executive Council could proceed to business a very delicate question had to be settled, that is, the form of oath to be taken by the Catholic members. On this occasion the course adopted by Clarke, on the Catholic members objecting to the oaths proposed according to the terms of the Constitutional Act of 1791, was to accept their offer to take the oath prescribed by the Act of 1774. His reasons for so doing are thus stated to Mr. Dundas:—

To have insisted on their taking the oaths and making the declaration which I knew to be inconsistent with their religious principles, would have been to preclude them altogether from their seats, and thereby subvert the Royal intention in their nomination; and taking it for granted that no other oath was expected from them, as members of the present Executive Council, than what was required in their former capacities of Executive and Legislative Councillors, the oath prescribed by the Act of the 14th of the King was administered and they took their seats accordingly, which I trust will be approved. (Q. 58—1 p. 79).

He then asks that steps should be taken to prevent such doubts being raised in future.

Early in the following spring a new difficulty arose. A considerable proportion of the new settlers in Canada were foreigners, not natural born nor naturalised subjects of His Britannic Majesty. By the terms of the Act of 1791, they were excluded from voting for, or sitting as, Members of the Legislative Assembly, on the ground of their not being natural born subjects of His Majesty, or subjects of His Majesty naturalised by Act of the British Parliament, or subjects of His Majesty having become such by the conquest and cession of Canada. A reference to the signatures to the petition leads to the belief that the petitioners were largely Germans. The opinion of the Law Officers of the Crown was that the petitioners were disqualified. Means were afterwards taken to remedy this state of affairs.

Simcoe, as already stated, arrived in Quebec on the 11th of November, 1791, and remained there for some time, there being no Council constituted in Upper Canada by whom he could be sworn into office. For the same reason, difficulties arose as to the administration of justice in the newly created Province, which appear to have been overcome, to some extent at least, by an asumption of power which did not exist. Simcoe's plans for opening up and developing the resources of Upper Canada were on a scale of some importance, but it seems only necessary in this report to direct attention to the correspondence, which is of great importance to those interested in tracing the early history of Upper Canada, with its first settlement and the means

taken to open up communication between all parts of the country. In view of the present importance of Toronto, the fact that it was objected to as being so out of the way that communication with it was difficult, is evidence of the change that has taken place in the relative importance of settlements since they were first laid out.

In the summer of 1792, Simcoe reached Upper Canada and on the 16th of July, issued a proclamation dated at Kingston, that the old Province of Quebec had been divided into the two Provinces of Upper and Lower Canada, and fixing the division of the province into "districts, counties, circles or towns and townships," to carry out the intent of the Act, "and to declare and appoint the numbers of representa-"tives to be chosen by each to serve in the Assembly of the said Province." (Q. 278 p. 199). In Simcoe's letter to Mr. Dundas, dated at Niagara 20th August, 1792, enclosing a copy of the proclamation, he stated that the principle adopted "to "equalize the numbers for the purposes of representation was the Militia Returns." (Q. 278 p. 197). The first meeting of the Legislature of Upper Canada was held at Newark (Niagara) on 17th September, 1792. It sat till the 15th of October. For a summary of the proceedings reference may be made to Simcoe's letter to Dundas enclosing the minutes of the Assembly and Council. His opinion of the composition of the first Assembly is shown in the same letter, dated 4th November, 1792, (Q. 279–1, p. 72), which may be quoted :—

In my passage from Montreal to Kingston, I understood that the general spirit of the country was against the election of half pay officers into the Assembly, and that the prejudice ran in favour of men of a lower order, who kept but one table, that is, who dined in common with their servants. It was by great good fortune that the temporary residence I made at Kingston created sufficient influence to enable us to bring the Attorney General, Mr. White, into the House and His Majesty's service has been essentially promoted by Lieutenant Smith, the son of Major Smith, who commanded for the last two years at Detroit, being elected by the inhabitants of that district into the Assemb y. This gentleman owes this distinguished mark of favour, to the singular gratitude of the people, for the attention which he showed and the liberality and disinterestedness of his proceedings as Clerk, and indeed as the efficient person, of the Land Board in that District.

According to Governor Simcoe's account the want of experience on the part of the Assembly led to engagements for salaries to officers too liberal in amount, being not less than £174, and as the Council could not do with less, there was thus an annual burden incurred on this account of £348, (about $1,700.) Nor were some of the Members averse to receiving "Parliamential wages.". To meet all these expenditures it was proposed to raise a revenue by a duty on spirits and wine of sixpence a gallon, and a bill to that effect passed, but was thrown out in council (Q 279—1, pp. 81 &c.), for reasons given in Simcoe's letter, which shows at the same time how obnoxious was a land tax to an Assembly which consisted entirely of land holders. (Q 279—1, p. 82). The "Rum Tax Bill", as Simcoe calls it, was the only measure upon which the two Houses disagreed and the resentment of the Assembly soon subsided (pp. 82, 83).

The Marriage Question was one of peculiar interest to the people of Upper Canada. To remedy the grievance a bill was introduced, but withdrawn, on the promise that one should be carefully prepared and sent to London for the opinion of the Ministry, so that there might be a careful and deliberate legislation on the subject. The prevalence of marriages contracted without the intervention of the

Clergy of the Church of England was of very serious import, as they were not recognised as valid, thus branding the children with the stigma of illegitimacy. In note E is a report on the subject of these mariages by Richard Cartwright, junior, which gives a clear statement of the position of affairs, so that it is unnecessary to repeat it here. Next session (31st May to 9th July 1793) the pressure was so great that Simcoe felt himself compelled to give way and assent to the Bill for removing the cause of the complaint. In his comments on the proceedings of the second session of the Legislature, Simcoe informs Mr. Dundas that:—

The general cry of persons of all conditions for the passing of the Marriage Bill was such, that I could no longer with hold under the pretence of consulting any opinion at home, having already availed myself of that excuse for delay. There are very few members of the Church of England in either House and the disposition of the House of Assembly is to make matrimony a much less solemn or guarded contract than good policy will justify. They returned the Bill with a rider giving power to ministers of every sect and denomination (of whom in this country there are not a few) to solemnize matrimony, and it was only on a compromise that they were prevailed upon to withdraw it, from the apprehensions of some persons in the Upper House of losing what they were likely to obtain by the present Bill and a promise of support to a Bill of any latitude that might be brought in next session, which Mr. Hamilton is to introduce (Q 279—2 p 336).

In previous reports the scarcity of Protestant Ministers is clearly shown by the returns. The want of Church of England clergymen, who by the existing law could alone solemnize marriage, added to the difficulty in this respect, and from about 1777, according to Mr. Cartwright in the report already referred to, many of the men of the different corps of Rangers had married at the posts, the marriage ceremony being performed in each case by the commanding officer who publicly read the service from the Book of Common Prayer of the Church of England, using the ring and observing the other prescribed forms. In event of his declining the service was performed by the adjutant of the regiment. (Q 279—1, p. 174.) It was to meet these and other cases of a similar kind that the Act was passed. The like state of things existed in the remote posts of the Hudson Bay Company, but such marriages were declared legal by the Courts in cases brought before them in connection with disputes as to succession. It would be out of place to enter into an examination or to give an account of the efforts made by the Anglican Bishops to establish parishes in the Provinces, or to secure the right to collect tithes, which was declared to be impossible and was therefore abandoned. The correspondence both in Lower and Upper Canada brings these points out clearly, and need only, therefore, to be referred to.

The relations between the Anglican and Roman Catholic Churches, however, would seem to call for some remark. It would occupy too much space to enter into details on this subject. One incident is sufficient to show the state of feeling that existed on both sides. On the 6th of September, 1796, a fire broke out in Quebec by which several private houses were consumed together with the church and convent of the Recollets. After some remarks on the consequences that might result from the fire, Prescott says:—

I shall only add that the Roman Catholic Bishop has very liberally made an offer of the Jesuits Chapel for the use of the Protestants, who have hitherto celebrated Divine Service in the Recollets Church. (Q. 77, p. 216.)

The Anglican Bishop of Quebec continued to press on the Ministry the necessity for a new church for the use of his fellow religionists and on the 24th of July, 1799, the Duke of Portland wrote to Milnes on the subject, commenting on a private letter from the Bishop, dated the 15th of April. He says:—

The first point stated in the Bishop's letter is the inconvenience which the inhabitants of Quebec have experienced from the want of a proper church at Quebec ever since the burning of that which belonged to the convent of the Recollets.

The necessity of building a Metropolitan church at the seat of Government is self evident, and, as the site of the late church of the Recollets is a proper situation for that purpose, you are hereby authorized to appropriate that ground to it and moreover to apply annually a [illegible] exceeding £400 out of the Provincial Revenues towards its erection. (Q. [illegible].)

It was not however till 1804 that the Cathedral Church was consecrated.

Returning from this digression to the affairs of Upper Canada. Another important matter was the effort to get rid of slavery during the same session of the Legislature. The members who had resisted a tax on land to meet the expenses of the Legislature also resisted the attempt to get rid of slavery as involving a burden on the land. On this point, Simcoe says:—

The greatest resistance was to the Slave Bill, many plausible arguments of the dearness of labour and the difficulty of obtaining servants to cultivate lands were brought forward. Some possessing negroes knowing that it was very questionable whether any subsisting law did authorise slavery, and having purchased several taken in war by the Indians at small prices, wished to reject the Bill entirely. Others were desirous to supply themselves by allowing the importation for two years. The matter was finally settled by undertaking to secure the property already obtained upon condition that an immediate stop should be put to the importation and that slavery should be gradually abolished. (Q. 279—2, pp. 336, 349).

Preparations for internal improvements are very fully reported by Simcoe, who assertedvigorously the right of the Lieut.-Governors of the Province to have the complete control of all provincial affairs, including the management of the Indians, and the establishment of a Provincial Marine, on which subjects he had some acrimonious correspondence after the return of Lord Dorchester in the autumn of 1793. The explorations towards lake Huron, towards the river La Tranche, (now Thames,) towards the Bay of Quinté, the report on sites selected for towns, with the flattering prospects of some, not fulfilled, whilst others, not thought of, have sprung up and grown in wealth and population, can all be traced in the correspondence. Among the events of local interest is the reference made by Simcoe in a letter to Mr. Dundas dated 20th September 1793, to his changing the name of Toronto into that of York. In this he says "that the place was named with due celebrity on the arrival of the news that the Duke of York had obtained possession of the camp of Famars." (Q. 279–2, p. 487). There is, however, a curious confusion of dates. On the 23rd of August, in a letter dated York (late Toronto) to Mr. Dundas, Simcoe acknowledges receipt of a dispatch of the 2nd of May, and continues:—

On the 22nd of this month I received your dispatch of the 2nd of April informing me of the successes of Europe against the aggressions of the French nation; this joyful news had reached this province through the United States and could not fail of giving the greatest pleasure to all his Majesty's loyal subjects. (Q. 279–2, p. 283).

On the 22nd August is a letter similarly dated, namely York (late Toronto), addressed to Mr. King, Under Secretary, in which two dispatches are acknowledged, one of the 20th of February, and the other of the 3rd of April. (Q. 279–2, p. 280.)

The attack by the Duke of York on the camp of Famars took place on the 23rd of May, three weeks after the latest letter acknowledged on the 23rd of August; yet the name "York" is given on the 22nd of August, the date on which the dispatch from Mr. Dundas of the 2nd of May was acknowledged to have been received. Either Simcoe wrote May for June, or else by the expression "this joyful newshad reached the Province through the United States" he did not mean the joyful news sent by Dundas, but news of a more recent date. As a matter of fact, Toronto was called York in 1792, nearly a year before the "place was named with due celebrity," as writing on the 4th of November 1792, Simcoe speaks of settlers who might be inclined to settle at Toronto ("York") (Q. 279-1, p. 1) from which it appears that it was called York at that date, and apparently that the ceremony of naming it "with due celebrity" was an official act, (Dr Scadding in his "Toronto of old" calls it a commemoration), to invest the change with greater solemnity. Two letters signed by Simcoe himself among the "military correspondence," still further conform this. One respecting an Indian interpreter, dated at Navy Hall, 24th July 1793, says: "The probability of the seat of government of this Province being for a time established at York, and the almost certainty of that post becoming a flourishing mart of trade" &c. (C. 247, p. 38); the other dated at "York" 13th August, 1793, recommending the payment of command money to Captain Shank of the Queen's Rangers (C. 102, p. 1), show clearly, that the ceremony of the 23rd of August could only have been for the purpose of naming York "with due celebrity." Other letters need not be quoted.

That there was little to attract settlers to York or Toronto is very evident. Captain Stevenson, sent to Kingston to meet emigrants, who had arrived there on the 3rd of October found "very few desirous of going to so remote a distance (as York) from all settlements," most of them having gone to lands still ungranted in the neighbourhood of Kingston (Q. 279-1, p. 2). On the 7th of October, 1793, Lord Dorchester writing to Simcoe, desires him to report the progress of population and agriculture on the north side of the Lakes and how near they approach Toronto, "the settling and cultivating the country round about that post must facilitate and bring forward every advantage its situation can afford and well deserves encouragement." In respect to the town His Lordship advises in laying it out to adopt the system of wide streets and squares with open angles. (Q. 66, p. 233). In a letter by Chief Justice Elmsley to President Russell, dated the 2nd of February 1797, the town of York is thus described:—

The town of York is, as Your Honour knows, near forty miles beyond the most remote of the settlements at the head of the Lake and the road to it lies through a tract of country in the possession of the Missasagues (Mississaugas). Besides this there is at York neither gaol nor court house, no accommodation whatever for Grand or Petty Jury, none for the suitors, the witnesses or the Bar and I believe but very indifferent for the Judges, so that the greater part of those whom business or duty may call to York must remain, during their stay there, either in the open air, or crowded together in huts or tents, in a manner equally offensive to their feelings and injurious to their health (Q. 283, p. 117). * * * I shall feel it a necessary though painful duty, to request that I may be permitted to bring in a bill as early as possible in the session for the purpose of continuing the courts at this place (Newark), until a situation as easy of access and as convenient is provided elsewhere (p. 120).

This was the state of the capital of Upper Canada at the end of the last century.

In Lower Canada preparations were made for carrying the Act of 1791 into effect so that no delay might be experienced in legislating for the new Province which had come into existence, in accordance which the terms of the Act. For this purpose inventories were made of the Records, and in accordance with an Order in Council of the 27th December, 1791, a list of the civil officers and trusts in Lower Canada was laid before the Council, with the dates of their respective appointments. The list includes the Lieut. Governor and the various administrative officers; the judges and officers of the courts of Vice Admiralty, of Kings Bench and of Common Pleas, Quebec; the justices of peace for the different districts, Quebec, Montreal, Three Rivers and Gaspé, besides lists of the officers of circles and inferior magistrates and notaries. A proclamation was also issued dividing the Province into electoral districts and announcing that writs had been issued for the election of members, returnable on the 10th of July 1792. (Q. 59-2 pp. 474 to 524). Until the meeting of the legislature in December, the administration of the Province was continued by the Governor and Executive Council. Among the questions to be settled was that of the boundaries between Quebec and New Brunswick, the uncertainty as to their limits leading to much inconvenience and to actual hardship. The petition on the subject, surveys, reports &c., are in Q. vol. 60 beginning at page 128, to which reference may be made. Information respecting the granting of Crown lands was also ordered to be distributed and Mgr. Hubert, Bishop of Quebec, desired M. Gravé, the Vicar General, to have the proclamation circulated as freely as possible, so that all might know the terms on which land could be obtained.

On the 28th of April, 1792, Governor Clarke had called attention to the grave inconvenience that had arisen and would continue to exist by a clause of the late Act, providing that the Governor, Lieut. Governor or Administrator should always preside in the Court of Appeal, which would not only impede the course of justice, but would seriously interfere with the other duties of the Governor (Q. 59-1 p. 1). In answer to this, Mr. Dundas wrote on the 3rd of October, that his attention had been specially directed to that subject, on account of the number of cases brought in appeal before the Executive Council. He, therefore, sent a plan for altering and amending the judicature in Lower Canada to be recommended to the legislature of the Province for their consideration "and I trust adoption," with such alterations as might be necessary to adapt it to local circumstances, but so as not to affect the principle of the plan. The bill was, however, to be reserved for the King's assent. The new and old system, as transmitted, are here given.

Proposed Plan.

That there be two courts of Original Jurisdiction within the Province; one for the District of Quebec, the other for the District of Montreal; to take cognizance of all causes whatsoever within the Province as well civil as criminal, and where the King is a party, those purely of Admiralty jurisdiction, and such as are brought for sums under £20, (and for which provision is hereafter made) excepted.

The first to consist of His Majesty's Chief Justice for the Province of Lower Canada and two Puisne Justices with the following salaries: Chief Justice, £1,200; Puisne Justices, two (each £500), £1,000—£2,200.

The other to consist of Chief Justice of the Court of King's Bench at Montreal with a salary of £800, and two Puisne Justices (each £500), £1,000—£1,800.

In aid of these two Courts a *Provincial Court* to be established at Quebec and another at Montreal for these districts respectively, with one judge to each to hold pleas in civil suits where the demand is not above £20, and from which there shall be no appeal.

The Judges of the Provincial Courts to have a salary each of £200—£400.

N.B.—The Districts of Quebec and Montreal to include the whole Province.

If the Province particularly wishes it, a similar Provincial Court to the two above mentioned may be constituted for what is now called the District of Gaspé, which, (as it is at a considerable distance from Quebec), may create a necessity for extending the jurisdiction of the court there to all causes under £50 to avoid the delay of justice.

Present Establishment.

Chief Justice, £1,200; Six Judges of Common Pleas each £500. Paid by the Province.

Attorney General, £300.

The proposal was laid before the Provincial Legislature by Lieut. Governor Clarke at it first session which met on the 17th of December 1792, in the Bishop's Palace, "hired by Government, and heretofore used for the accommodation of the Clerk of the Council and the performance of Divine Worship," which was altered and repaired at a cost of £428, a minute account of every nail used as well as of all the other materials and workmanship being sent by the Lieut. Governor to Mr. Dundas. (Q 62 pp. 52 etc.) Little was done before Christmas except choosing Mr. Panet for speaker and appointing a committee to prepare rules and regulations. The first officials of the Council and Assembly were appointed without salary, it being taken for granted that the Legislature would make a suitable provision for their support.

The staff, as reported, was not numerous. The names of the officials were: For the COUNCIL; William Smith, junior, Clerk; William Boutillier, Gentleman Usher of the Black Rod; Jean-Baptiste Brassard, Sergeant at Arms. For the ASSEMBLY, Samuel Phillipps, Clerk; and Hugh Mackay, Sergeant at Arms. (Q 62 p. 63.)

After the Legislature reassembled on the 7th of January, the House proceeded with the consideration of the rules and regulations and with the settlement of disputed elections. From the first, the meetings were open to the public, the Speaker having power to put a stop to any disorderly proceedings on the part of the spectators. One of the questions to which much importance was attached was that relating to the disposal of the Jesuit estates after the death of the last survivor of the Society, brought before the Assembly by a petition (extracts from which are given in Christie's first volume of the History of Canada,) from citizens of the town and county of Quebec, praying that the revenues of these should be appropriated for education, for which the lands had originally been given. In the petition it is stated that communication had been given many years previous by the Jesuits of Quebec to the citizens, of all the titles to the College, the extent of which is described, "with lands "and revenues thereto annexed for the education of every individual born in, or "inhabiting this country." The petition states also, that,

By those titles it evidently appears that they hold and enjoy their estates only in trust from their first ancestors of the Canadians, called the *Hundred Associates*, who were the owners thereof and gave them over to the Jesuits upon certain conditions. *

The Jesuits, it is further stated, were willing, indeed anxious, to transfer the properties for the use of the public, stipulating only for a subsistence, but difficulties were interposed, solely by a few individuals, who were making strong efforts to obtain a gift of these estates before the new constitution was sanctioned, evidently a reference to Lord Amherst, who had almost succeeded in obtaining possession of these properties. Eight Acts were passed during this session, one of these being to grant "indulgences to people called Quakers."

Lord Dorchester, who had arrived on the 24th of September, resumed the Government and Clarke left in October, 1793. The Legislature met on the 11th of November following, when, among other subjects, the bill to regulate the judiciary was considered and passed. It is chapter VI of the statutes of the second session of the first Provincial Parliament of Lower Canada, under the title. "An Act for "the division of the Province of Lower Canada, for amending the judicature thereof "and for repealing certain laws therein mentioned" and contains 44 clauses. According to instructions, the bill was reserved "for the signification of His Majesty's pleasure thereon."

It will be seen by the Journals and Statutes that both languages were used from the first establishment of the Legislature of Lower Canada under the Act of 1791. The first meeting of the Legislature took place on the 17th December, 1792, when the Lieut. Governor, who had summoned the Assembly to the Legislative Council House, desired them to return to their own House and elect a Speaker.

* The translation is that read by the Clerk of the Assembly. The petition was in French of which the following is the original clause, given above in English :—Par ces titres il est évident qu'ils ne tiennent ces biens en dépot que des dons conditionnels des premiers ancêtres des Canadiens qui sous le nom des *cent associés* en avaient la pleine propriété.

"Which speech," the journal of the day's proceedings says "was repeated in the "French language by order and in the presence of His Excellency the Lieutenant "Governor." The motion by Mr. James McGill, to postpone the election of a speaker for a day, was repeated in French, and Mr. Panet's amendment, moved in French, was repeated in English. It thus appears that the use of both languages was accepted as a matter of course from the beginning of the constitutional change without any formal resolution by either House, and this applied also to bills introduced. The first vote taken on the subject was on the 27th of December, 1792, when Mr. Grant moved a resolution, which it may be well to give in full, adding the amendment moved by Mr. Joseph Papineau, which was adopted by the House. The following is Mr. Grant's motion:—

That it be an instruction to the committee of the whole House, charged with the correctness of the minutes (or journals) that the digest they may prepare, as the Journal of the House, from the commencement of the session to the time of the reference, be in the English language, as necessary for the original record thereof: And that translations of the said Journal be made in the French language for the use of such as are desirous of the same.

The resolution, as finally carried by a majority of six (15 to 21), on the motion of Mr. Grant, who accepted Mr. Papineau's Amendment, after it had been carried by a majority of 7 (14 to 21), was the same as the original down to the word English, the alterations being:—

Or French language, as it may have been entered in the original minutes, without drawing into precedent for the future.

In preparing the rules for conducting the business of the Assembly, a difference of opinion arose as to the method to be employed in the use of the two languages. These was no difference, so far as can be seen, as to the propriety of their use. In rule ninth, as originally proposed, no mention was made of the language; it simply declared that there should be no debate on a motion until it was read by the speaker from the chair, but the proposition that it be read in French and English, was accepted without discussion, and finally, after an amendment carried by 33 to 7, the ninth rule stood:—

No motion shall be debated or put unless the same be in writing and seconded; when a motion is seconded, it shall be read in English and in French by the Speaker, if he is master of the two languages, if not the Speaker shall read in either of the two languages most familiar to him, and the reading in the other language shall be at the table by the Clerk or his Deputy before the debate.

On the method of keeping the Journals of the Assembly the following regulation was adopted by a vote of 26 to 13

Resolved that this House shall keep its Journal in two registers; in one of which the proceedings of the House and the motions shall be wrote in the French language with a translation of the motions originally made in the English language; and in the other shall be entered the proceedings of the House and the motions in the English language, with a translation of the motions originally made in the French language.

Mr. Richardson's amendment (which was lost on the vote above referred to) varied considerably the phraseology of the rule, but the important part of it was contained in the last clause:—

Yet in order to preserve that unity of legal language indispensably necessary in the Empire, and touching any alteration in which a subordinate legislature is not competent, the English shall be considered the legal text.

Other amendments to the same effect were voted down, Mr. Papineau supporting Mr. Richardson's motion to make English the legal text, with a rider, "unless it "be otherwise ordered by a special clause inserted in each bill."

Finally it was resolved that the rule for the introduction of bills should be as follows :—

The Bills relative to the criminal laws of England in force in this Province and to the rights of the Protestant clergy, as specified in the Act of the 31st year of His Majesty, chap. 31st, shall be introduced in the English language; and the Bills relative to the Laws, Customs, Usages and Civil Rights of this Province, shall be introduced in the French language, in order to preserve the unity of the texts.

This was carried by a majority of ten, Messrs. Papineau and Bedard voting in the negative. In a letter from Mr. Dundas to Lord Dorchester, he says that he sees no objection to the latter class of bills being introduced in French with a translation, provided they are passed in English (Q. 65 p. 319). Some remarks on the proceedings of the first assembly by James Monk, Attorney General, are of interest, (See Q. 66 pp. 361 &c.). Reference may be made to Christie's first volume of the History of Canada, in which are extracts from the proceedings, but in view of the importance attached to the question of the usage in the Legislature in respect to the language officially employed, it has been thought desirable to enter so fully as has now been done into the history of the subject. Christie's History of Canada, the firstvolume of which contains little besides a summary of the proceedings of the Legislature with extracts from speeches, addresses &c., may be consulted for these, the full text of which, however, forms part of the Archives, either in printed form or in manuscript. These show the arrangements with Upper Canada for the collection and division of the import duties, by which a portion of the revenue of the Upper Province was made up, and the inadequacy of the revenues to meet the Provincial expenses. Payments were made for many years to meet the deficiencies in both of the Provinces, by the order of the commander-in-chief in the Canadas, the Lieutenant Governor of the Province "certifying under his hand the amount of such deficiencies "from time to time as the same shall arise." (See letter from the Duke of Portland in series C. vol. 77 p. 14).

The question of fees was one on which Sir Guy Carleton held very strong opinions. On his first assuming the Government in 1766, after Murray's recall, he refused to accept any of the fees to which he was legally entitled, on the ground, as stated in his letter to the Chancellor of the Exchequer of the 17th November, 1766 (Q. 3, p. 411), quoted in the report on Archives for 1890, that there was a certain appearance of dirt, a sort of meanness in exacting fees on every occasion. In his letter to Mr. Dundas of the 31st December, 1793, he (now become Lord Dorchester) repeated his objections in most emphatic terms and pointed out the danger which attended the system. The important part of this letter being given in full in the calendar need not be repeated here. It is a clear proof of Lord Dorchester's consistency and disinterested course, as it is understood His Lordship was by no means wealthy; had he been so, the temptation to claim his legal rights would have been less strong than it was under the circumstances. Yet this self denial was

made a ground of complaint against him by those who felt their own conduct blamed by the Governor-General's refusal of fees. It is satisfactory to find that the conduct of the judges was free from the reproach that they appropriated a great part of them. The attorneys, to excuse themselves to their clients, alleged that the judges had a large share of what was paid. But His Lordship found, and his exact words may be given: "That though the scandal was great, the profits of the bench were small, "and the judges gave up all fees for a compensation." The policy of paying the judges and officers by salary was introduced, but this, not being consistently followed, did not improve matters, as the new commissions, like the old, authorized fees, perquisites, emoluments, &c., the power thus given being eagerly embraced. "Gentlemen," he says, "came out much obliged to their friends at home for good "places, and regarded everyone as unfriendly and inimical who attempted or were "disposed to control their rights and profits of office." (Q 67, p 46.) "Fortunately," he adds, "the bench has hitherto continued free from that reproach" (p 47), but he urges that the temptation should be removed by a change in the words of their *Mandamus*. This opinion was concurred in by the Ministry, and on the 11th May, 1794, Mr. Dundas informed Lord Dorchester that the commission to Mr. Osgoode, as Chief Justice, would secure the Province from any such fees, &c., being taken and that the same would apply to the judges to be appointed under the new Judicature Bill, at the same time, Mr. Dundas explained, the power to take fees was very limited, and only applicable to such officials as had had no compensation made in lieu of them (Q 67 p 71).

Another source of complaint was the attempt of purchasers of seigniories to set aside the terms on which these were granted and to demand and try to enforce from the *censitaires* onerous and oppressive conditions not warranted by the terms of the original concessions. These demands caused great excitement among the *censitaires*, aggravated by the belief that the purchasers of the seigniories could drag every one of them singly through all the courts up to the final court of review, the Privy Council. In a memorial to the Assembly, not presented by Mr. de Rocheblave to the House, on the ground that no regular forms for the dispatch of business had been yet settled, a complaint was made that the seigniors had, in contempt of the ordinances, arbitrarily increased the ground rents of lands already conceded and that threats of law suits against those who refused to pay these claims were constantly used, in so much that many were terrified into submission. The complaints were in themselves vital to the complainants, although not wide spread, being only against a single seignior; yet Dorchester regarded them as serious, from the effect such procedure might have on the minds of the people. His own words are:—"This question may occasion a great deal of heat and establish the party "distinction of Aristocrat and Democrat, which may tend to diminish the strengh "of the Province and do much injury to the King's Government: the seditious papers "that have been scattered about the country seem to allude to this condition of the "people." (Q. 67 p. 77). Mr. Sewell, then Solicitor General, gave an opinion favourable to the *censitaires*, whose rights, he believed, could be decided by the Court of Common Pleas, but he had serious doubts how far the *censitaires* would be able to obtain full advantage of the law. On this point he says:—

In giving this opinion I think it my duty to remark to your Lordship that the poverty of the peasantry in general prevents them from profiting by that mode of

redress which I have just pointed out. They are able to institute and carry on their suits to judgment in the Common Pleas and are equal perhaps to the cost of the Court of Appeals, but the enormous expense attending an appeal to His Majesty in Council, to which the Seignior is entitled, as his rights in future may be bound by the decisions, deprives them of the possibility of obtaining justice, compels them to abandon their cause and throw themselves upon the mercy of their antagonist, who compromises the action and grants a new deed of concession upon his own terms. (Q. 67 p. 86).

Mr. Dundas in reply agreed with the opinion of the Solicitor General, that the grievances of the *tenanciers*, or copy holders, were cognizable by law, and admitted of a remedy without the interference of the Legislature. With respect to the probability of repeated appeals to the Privy Council by the seignior, Mr. Dundas held, that the case of one of the copy holders being the case of all, so that one decision on a test case would settle the point at issue, he did not believe it possible that any of the seigniors would prosecute vexatious appeals to the King, "in the face of enlarged "and liberal costs, which in such case the Court would most probably conceive "itself warranted in granting, if the Provincial Judgment was affirmed." (Q. 67 p. 176).

The state of the crops of 1794 and 1795, occasioned considerable anxiety, and arrangements which caused great dissatisfaction were made both in Lower and Upper Canada for the purchase of wheat. A demand was made for laws to punish forestallers, and Dorchester saw himself compelled to issue a proclamation forbidding the export of wheat of the harvest of 1794 (Q 72–1 p. 109). The crop of 1795 rendered a similar proclamation necessary, Dorchester's fear of the necessity expressed in his letter of the 5th of September, 1795, (Q 74–1 p. 127), being realised, and on the 9th of the same month the proclamation was issued on a report from Council, a special committee having prepared a series of questions on the subject, which were answered either orally or in writting by a large number of witnesses. The report, founded on the evidence, stated that the crop of wheat in 39 parishes did not, upon an average, amount to seven twelfths of the produce of the previous year in these parishes. It was also the opinion of the majority of those examined, that there was not more than enough for the consumption of the Province and for seed for the next season, but in spite of this, as much wheat, flour and biscuit had already been exported as had been exported during the whole of the previous year, the committee, therefore, in their report on the 5th of September, recommended that an embargo be laid on the export of wheat and other grain, the estimate being that at the date of the report, not more than 25,000 bushels of wheat of the old crop and between 2,000 and 3,000 barrels of flour remained in the Province, the whole of which, the report continued, would probably be exported in the course of the month, unless measures were taken to prevent it. (Q 74–1 p. 159). Two days after, the committee received evidence of a still more serious state of affairs, and made a second report, reiterating the advice even more emphatically, that an embargo on exportation had become a necessity (p. 163), and the proclamation issued accordingly, (p. 164). Lists of the vessels sailing from Quebec, with or without convoy, show that to the 10th of August, of 1795, there had been exported to London 203,041 bushels of wheat and to Liverpool 33,409, the other ports were Falmouth 32,990 (only 419 less than the quantity to Liverpool) 12,000 to Bristol and 10,067 to Greenock, a total to that date of 291,507. Between that date and the

11th September, there sailed ten vessels, with 80,774 bushels, of which 70,374 went to London and 10,400 to Liverpool, a ratio which shows the growth in importance of Liverpool as a shipping port, if these figures are compared with those of subsequent dates, showing the relative amount of trade from Canada to the ports of London and Liverpool respectively. The lists are interesting in other ways. They show the quantity of wheat that could be exported even in a very bad year, and the change that has taken place in the class of vessels employed in the trade. Of the 34 vessels the average tonnage was slightly over 176, the smallest being one of 72 and one of 77; the largest, one of 301 and one of 299 tons.

On the 20th December, 1792, when the first Assembly of Lower Canada having elected its Speaker, met in the Council Chamber to be addressed from the Throne, Lieut. Governor Clarke informed the Houses that Great Britain was happily at peace with all the world and that he hoped there was no apprehension of its interruption. On the 9th of May, the Lieut. Governor had to inform the Legislature of a different state of affairs. The Speech from the Throne was in these terms:—

At the first meeting of the Legislature I congratulated you upon the flattering prospects which opened to your view, and upon the flourishing and tranquil state of the British Empire then at peace with all the world; since that period I am sorry to find its tranquillity has been disturbed by the unjustifiable and unprecedented conduct of the persons exercising the supreme power in France, who after deluging their own country with the blood of their fellow citizens, and imbruing their hands in that of their Sovereign, have forced His Majesty and the surrounding nations of Europe into a contest which involves the first interests of society.

The first French revolution had been in progress for four years before the opening of the Legislature of Lower Canada, in December, 1792. The beginning of the end of the old French Constitution was in November, 1788, when the notables met and agreed that the States General, which had not been assembled since 1614, should be convoked; this was accordingly done and the States General met on the 5th of May, 1789. The three orders could come to no agreement as to the mode of voting, the dispute being whether the voting should be by orders in separate chambers, or by the whole united in one chamber, in which case, as the *tiers-état*—the Commons—equalled in numbers the noblesse and the clergy combined it was evident to the leaders of these two orders, that the Commons were certain to carry everything as they chose. They accordingly met in their own chambers, organised and called on the *tiers-état* to do the same, which they refused to do till all were assembled in one body, to act in common. By dint of immobility, the Commons succeeded in driving the other two orders to accept their demands, and the National Assembly was formed on the 17th of June, 1789, followed by the destruction of the Bastille on the 14th of July, less than a month after. On the 6th of November, the property of the Clergy was confiscated. It would be idle for the purpose of this report to attempt to trace the course of the French Revolution, beyond what is necessary to make clear the relation of these events to affairs in Canada. Briefly, however, may be noted the facts of the invasion of France by the allied armies of Austria and Prussia, the apparently desperate state of the French armies, which had been repeatedly defeated and had lost heart; and the negotiations of Dumourier the French General with the Duke of Brunswick, commanding the allied forces, in which were held out hopes of the realisation of the Duke's own personal ends. By such means Dumourier succeeded in paralyzing the movements of the formidable

army, which could otherwise have marched with but little opposition, taken possession of Paris and with it the control of the whole country. The forest of Argonne was seized by Dumourier, and after various engagements, a convention was entered into between him and the Duke of Brunswick, that the allied forces should be allowed to evacuate France without molestation, and on the 20th September, the retreat was begun.

The news of the retreat of the allied armies was received at Philadelphia with the most extravagant enthusiasm. At New York, according to the account of McMaster in his "History of the People of the United States," the joy of the people was yet wilder, and on the 27th of December, the whole day was devoted to feasting, bell ringing and firing of cannons; Boston, determined to outdo New York, held a great day of feasting, processions, the roasting of a whole ox, winding up with a great entertainment in Faneuil Hall. All New England followed the example. Indeed, MacMaster says :—"

Both men and women seemed for the time to have put away their wits and gone mad with republicanism. Their dress their speech, their daily conduct were all regulated on strict Republican principles. There must be a flaming Liberty Cap in every house. There must be a cockade on every hat. There must be no more use of the old titles, Sir, and Mr., Dr. and Rev. * * * *. These are offensive to Republican ears. We cannot open a letter but we are addressed as *Dear Sir*, we cannot go into the Courts but we hear "His Worship the Mayor," or His Honour the Judge." We cannot attend the Legislature, to see what the servants of the people are about, but we hear on every side 'His Excellency the Governor,' or 'His Excellency the President,' or 'the Honorable Gentleman who spoke last,' let us stop this, go to France for a Republican lesson, put aside the absurd epithets of Mr. and Sir, and use the social and soul warning term Citizen. (Vol II pp. 93, 94).

And the proposal was received by a large proportion of the people, impervious to the ridicule heaped on them by the more cool headed, one of whom proposed to substitute biped for citizen, as it was simple, fitted people of every country, was not of aristocratic origin, accorded with truth and was free from flattery. (Gazette of the United States of 5th February, 1793, quoted by McMaster).

The excesses of the Revolution did much to change this feeling; the decree to banish the Clergy by which 40,000 were sent into exile, the execution of the King on the 21st of January, 1793, and the declaration of War with Great Britain, on the 1st of February, and of war with Spain, both holding large possessions on the American Continent, made the more sober part of the population think what was to follow. One of the questions to be settled by the President and his Council was whether a Minister from the Republic should be received, but on this point their hand was forced by the arrival of Genet, the new French Minister.

Every effort had been made by Great Britain to avoid hostilities. Burke had been using his eloquence to force the Ministry to declare war, but without effect. His well known saying, "The age of Chivalry is past," has become proverbial, the State papers show however that it was determined there should be no interference with the internal affairs of France. Strict neutrality had been observed, but at the end of 1792, France was warned that her policy of aggression on the rights of other nations must cease, and in the instructions to the British Ambassador at St Petersburg, when the question of an agreement of the Great Powers was under discussion, he was informed that the policy of non interference with the internal affairs of

France must be the basis of any such agreement. In Green's "History of the En-"glish people" (Book IX) Pitt's efforts to maintain neutrality are spoken of as undoubted, the assurance given to France being that it should be strictly observed with respect to its internal dissensions, "and from which it will never depart unless "the conduct held there make it indispensable as an Act of self defence". "It was France," says Green, "and not England which at last wrenched peace from his grasp". In Lord Roseberry's recent life of "William Pitt" his desire to avoid war with France is still more emphatically stated. The war was against Canada as well as against Great Britain, on which account it is dealt with in this report.

Washington issued a proclamation of neutrality;* warning all Americans of the penalties incurred by its infraction. On the day it was issued, the 22nd April, 1793, news of the arrival at Charleston of Genet, sent as Minister by the French Republic, was received at Philadelphia. By the time the proclamation was received at Charleston, the violation of its injunctions had become the rule. Genet's conduct towards the President and his administration was most offensive and his insults to the nation of the most flagrant kind. Before even presenting his credentials or taking the slightest step to have his status recognised, he ordered the French Consuls to set up Courts of Admiralty in the United States, purchased and equipped privateers, manned by American seamen, and a British vessel was actually captured within the jurisdiction of the United States, but ordered to be restored. Genet on his way from Charleston to Philadelphia was received with the most extraordinary demonstrations of welcome, was feasted and presented with addresses not only from German and French Republicans, but also from Citizens of Philadelphia.

Intoxicated with these demonstrations, Genet was chilled by the reception given him by Washington and left in a rage. In a note to Jefferson, dated the 18th of September, 1793, he lays bare his griefs. In this note, wounded vanity appears to be the chief characteristic, the great public grievance being "that this first magis-"trate of a free people decorated his parlour with certain medallions of Capet and his "family, which served at Paris as signals of rallying." So gross was his conduct that on the 5th of December of the same year, Washington called attention to it in a special message, in which he spoke of the person whom they (the French Executive) have unfortunately appointed their minister plenipotentiary. The tendency of his acts, the message said, had been to involve the United States in war abroad and anarchy at home. "So far as his acts or those of his agents have threatened our "immediate commitment in the war, or flagrant insult to the authority of the laws, "their effect has been counteracted by the ordinary cognizance of the laws and by an "exertion of the powers confided to me." How far the United States were prepared to go to secure peace with France may be seen from Washington's words in the same message:—

Rather than employ force for the restitution of certain vessels which I deemed the United States bound to restore, I thought it more advisable to satisfy the parties by avowing it to be my opinion that, if restitution were not made, it would be incumbent on the United States to make compensation.

But so far back as July, Washington had called the attention of his cabinet to this state of affairs. In his letter to Jefferson, Secretary of State, of the 12th July, 1793, he says:—

*For the text see Annual Register for 1793 page *359.

What is to be done in the case of the *Little Sarah* now at Chester? Is the minister of the French Republic to set the acts of this government at defiance *with impunity?* And then threaten the executive with an appeal to the people? What must the world think of such conduct, and of the government of the United States in submitting to it? (Washington's writings. Vol. XII, p. 302).

Washington was strongly inclined to discontinue Genet's function and send him away, but this step was defeated in the cabinet by Jefferson and Randolph, for reasons no doubt satisfactory to themselves. Finally, however, he was recalled on the demand of the United-States Government, being replaced by Fauchet on the 21st of February, 1794. Some interesting correspondence and other documents relating to Genet and to the general policy of the United-States will be found in the Annual Register for 1793, from page *357 onwards.

It has been thought desirable to give this preliminary sketch of the state of feeling in the United-States, after the declaration of war by France in the spring of 1793, as this declaration and the steps taken by the French agents had a direct influence on affairs in Canada, for the acquisition of which the executive of France was strongly inclined. On the 8th of February, 1793, orders were sent to the Lieut-Governors of the British American Provinces to raise men for defence, as there could be no doubt that these would be attacked as speedily as possible. (Documents on this subject will be found at note C). On the 1st of May orders were sent to dispatch three regiments of regular troops to the West Indies from Nova Scotia and New-Brunswick, their places to be taken by provincial regiments, ordered to be raised by the Lieutenant Governors, to be under the orders of the Commander-in-Chief in North America (Q 62, p 140). But the state of feeling in Lower Canada was regarded as of the most alarming kind; Genet's agents were reported to have been at work with the French Canadians and to have been but too successful among a certain class, who had been won over by them to the revolutionary cause. The disaffected spirit, says Lord Dorchester in his letter N° 26 of the 24th of May, 1794, has been sucessfully excited by agents sent by Genet, the French envoy, who was superseded in February, 1794, but the services of his agents appear to have been continued by his successor in the embassy to the United-States. Some of the discontent at British rule was, according to the dispatch of the Duke of Portland, in process of removal, by the adoption of the system followed in the old Courts of Canada in disputes between the Seigniors and their tenants, and the dissatisfaction at military duty, it was hoped, would be removed by the order to raise two Provincial Battalions, preferably from the new subjects, but not necessarily confined to them. (Q 68 pp. 130 &c.) In the meantime, the efforts of French emissaries, according to the reports of the Attorney General and the correspondence of Lord Dorchester, were only too successful in gaining over a portion of the French Canadian population. A quotation from Lord Dorchester's dispatch (No. 28), of 7th June, 1794, will best explain the position as it appeared to His Lordship at the time. In his letter of that date, enclosing depositions fowarded in a report from the Attorney-General (Monk) is the following account of the state of affairs:—

What appeared extraordinary and a very bad symptom was that notwithstanding these practices were so well known, all the informations concealed the offenders, or were so given as to secure them from the pursuit of justice, till after the open manifestation of sedition on the Parade of Quebec; even on that occasion no man was arrested at the moment, but an evident timidity was observable among those

whose duty required an immediate exertion. From the whole tenour of these intrigues and the language of the Emissaries, who went so far as to talk of the facility of seizing the town and that the Canadians were fools to be so long led by the nose by a few English as well as from other discourses of a similar kind, it is evident that an eye was had to the proceedings at Paris, so that our neighbours, who seem to be playing a secondary part to forward a revolt, were they to succeed, would find themselves the dupes and have much cause to repent of their politics, as would all the passive characters here, who undoubtedly would experience a similar fate with persons of their own description in France.

In consequence of the arrest of some of the leaders a clew has been obtained which will lead to further discoveries; and thus this spirit for the present appears to be in some degree awed: about the time it was at the highest, a report was circulated that a French fleet wa expected to come up the river, and that our neighbours were on the point of entering by the way of Champlain and St. John's: the general manifestation of disloyalty, under such an expectation, shows how small a matter may wrest the Province from His Majesty's Government unless a greater regular force is allowed for its protection. (Q. 69–1, pp. 1, 2.)

Such was the view taken of the position of affairs at the time when the Republican Government of France was straining every to nerve to detach nations from their allegiance to constituted authority. Reference may be made respecting the state of feeling in the parishes to the letters of the Attorney General (James Monk) and to the depositions which accompany them (Q. 69—1, pp. 4 to 26.) Add to this the unsettled state of the relations with the United States at this time and the critical situation of the authorities in the British American Colonies may be understood. The danger was not confined to Lower Canada, as similar efforts were made in the Upper Province, and in Kentucky and the new territories, war had for a considerable period been believed to be inevitable. According to the report of a deserter from Wayne's army, it was understood in the camp that a march on Canada and the seizure of the posts in dispute had been settled upon, only waiting for an order from Congress to make a hostile movement (Q. 68, p. 151), and that French officers had been recruiting in Kentucky (p. 152). In April, 1794, the authorities of Vermont had, as reported to Lord Dorchester, made an offer to Congress to undertake the conquest of Canada without assistance from the Federal Government, provided the troops were allowed to plunder the inhabitants (Q. 67, p. 191); and in order to facilitate communication with the seditious in Montreal, Mason Lodges were instituted in Vermont, under pretended charters from lodges in Montreal (Q. 69, p. 59). Nor was the French envoy, Genet, satisfied with arranging and encouraging an attack on the British possessions; he, during his short occupancy of office in the United States, had with feverish activity also inaugurated a war against the Spanish possessions in Louisiana, of which the Baron de Carondelet, the Governor General, informed Lieut. Governor Simcoe, in a letter dated 2nd of January, 1794, asking for his co-operation and describing the plan of Genet for the attack on the different posts. (Q. 61–1, p. 38.)

The respective feelings of Great Britain and the United States are thus described by Lord Dorchester, in a letter to Mr. Dundas (No. 49) of 4th September, 1794.

I could have no doubt of the very pacific and friendly disposition entertained by His Majesty's Government towards the United States, nor of the duty which this disposition imposed on me to act in perfect unison therewith, and certainly no private inclination excited a wish to the contrary.

Soon after my return to America, I perceived a very different spirit animate the United States, much heat and enmity, extraordinary exertions, some open, some covert, to inflame the passions of the people, all things moving as by French impulse rapidly towards hostilities and the King's Government of Lower Canada in danger of being overwhelmed, so that I considered a rupture as inevitable. Their old State policy on all occasions, to impress on the people of the United States "the rank injustice and unfairness of our procedures," had already prepared their minds; so that, considering recent events as of the desired magnitude, they eagerly joined their Jacobin friends, some not aware to what extremities it might lead them; others willing to run all lengths; both desirous to profit by the supposed embarrassment of our affairs, and of opinion we dare not resist. * * *

Private inclination and public duty apart, it would be folly in the extreme for any Commander-in Chief circumstanced as I find myself here, without troops, without authority, amidst a people barely not in arms against the King, of his own accord to provoke hostility or to begin (as Mr. Secretary Randolph is pleased to call it) "Hostility itself."

The contempt with which this country is treated by the United States sufficiently evinces their knowledge of our impotent condition, and that we are abandoned to our own feeble efforts for our preservation, and even these they seem to expect and require we should not employ.

It will give me much satisfaction should they escape the dangers to which they are exposed by their unnatural connection, and that they adopt a national policy more suited to their general interests. (Q. 69-1, pp. 176-178).

The extract will show the exact line of conduct imposed on Lord Dorchester by instructions from the ministry and which, it is evident, His Lordship was fully prepared to follow. Being a confidential letter for the guidance of the administration, it may be accepted with safety as the expression of the real opinion of the Governor General and Commander-in-Chief, writing with a full sense of his responsibility for the information and opinions he was bound to transmit for the guidance of the King's Government. In this view, therefore, it sets at rest many of the reports circulated of the designs of the British Government and its representatives against the interests of the United States. Reference may be made on the subject to the Note (E) "Relations with the United States after the Peace of 1783," in the Report on Archives for 1890, beginning at page 97.

In discussing the question of defence in a letter to Mr. Dundas, Lord Dorchester has some remarks which may with advantage be quoted, as showing that all along His Lordship was anxious for the maintenance of peace, not only in the interests of Canada but also in those of the United States. His anticipations as to the progress of settlement made nearly 100 years ago (25th October, 1793), have been singularly verified, and the means by which the United States have grown to their present proportions, namely, by European, chiefly British, capital, are clearly indicated.

At the same time that I point out the precautions necessary to put this country in a proper state of defence, I must acknowledge that the interests of the King's American Dominions require peace, and I think the interests of the States require it still more, though their conduct both to us and the Indians has created many difficulties.

In the natural course of things the people from the States will overspread all the country South of the Lakes, from the Atlantic to the Mississippi and beyond. The treasures and people of Europe are already employed to forward this purpose, and it would have been still more advanced at this hour, but for their own impatience, to say nothing worse.

The North side of the Lake must also greatly increase in population.

I think I may venture to say that North America does not contain one-fiftieth part of the inhabitants it requires to bring it into a tolerable state of cultivation, and that the European race may live in peace with the Indians and have from them as much land as they can possibly want and as fast as the interests of their respective Governments may require, provided they treat them with natural justice and some degree of liberality.

In the course of a few years the way will probably be open and the furs and all light articles of commerce will take the road which leads to the best market. Heavy articles produced in the country round about those Lakes seem destined by nature to come down the River St. Lawrence, whoever may possess dominion in these parts.

What revolutions may take place there in the progress of time I think impossible to foresee, but am clearly of opinion that not war but a pure and impartial administration of justice under a mild, firm and wise Government, will establish the most powerful and wealthy people. (Q. 66, pp. 218–219).

These extracts, written when war seemed inevitable, will serve to show how greatly Lord Dorchester was averse to entering upon such a course and that contrary to the reports spread in the United States, his strongest desire was to live in friendship with the Government and people there, and in this he was fully supported by the British administration. (Q. 67, p. 2).

Among the mercantile classes in Canada, doubt and uncertainty existed as to the fate of the vessels that might be dispatched with cargoes from the St. Lawrence. In October of 1793, a meeting of the Executive Council was called to consider the steps necessary to be taken for the protection of the fleet of merchant men, ready to sail with cargoes, on the safe arrival of which depended largely the receipt in the following spring of the necessary articles of consumption in the Provinces. Lord Dorchester informed the Council that he had credible information of the sailing from Sandy Hook (New York) of a French fleet of two seventy fours, two large frigates, a sloop of war and two armed brigs, with pilots on board to navigate the fleet up the Gulph and River St. Lawrence, and with 2,500 troops, provided with warm clothing. Captain Minchin, of His Majesty's Ship "Severn," who was to convoy the homeward bound merchant men, had applied for advice. The decision arrived at by the Council on the suggestion of Lord Dorchester was, that the vessels should drop down the river to safe mooring grounds to wait for further intelligence, and return to Quebec should the approach of the enemy render this necessary. The fact that there was still a month remaining before the close of navigation was an important consideration in the decision come to (Q. 66, pp. 250, 251).

In Halifax, Nova Scotia, the report of the sailing of a French fleet, intended to attack that city and its fortress, caused the greatest activity. Lieut. Governor Wentworth and Major General Ogilvie reported to Mr. Dundas, that shortly after the news was received there, 4,000 men, including Militia, had assembled for defence, and authority was given to add two companies of 100 men each, to Wentworth's regiment. No attack was, however, made.

It is unnecessary to enter into minute details of the events in Canada connected with the attempts of the French Republicans to regain possession. A few broad statesseem to be all that is necessary, information regarding most of the external events being on record in ordinary histories.

On the 18th of November, 1794, according to the letter of the Duke of Portland (Q. 69–1, p. 118), what is known as Jay's Treaty with Great Britain was signed by the negotiator by which all matters in dispute between the two countries were to

be amicably adjusted. (The actual date appears to have been the 19th). It had still to run the gauntlet of Parliament and of the United States Senate, was received with great disfavour by the partisans of the French, who used every exertion to have it defeated, but was finally agreed to by the United States Senate in the Session of 1795, by a vote of 20 to 10, with a suspension of the twelfth article and a recommendation of further friendly negotiations on the subject of impressment. A formal peace was thus concluded between the two countries, but the hostility to its acceptance and the feeling of enmity towards Great Britain on the part of large portions of the population were manifested in the most violent forms. Hamilton was assaulted by a mob, Jay denounced, the French treated as close allies, the British attacked wherever seen and Washington abused in the most unmeasured terms.

Details of all these extravagancies may be found in several American histories of the United States, to which reference may be made. They are only mentioned in this report to explain the facility with which hostile expeditions were organized against a friendly power, in spite of the care taken by Washington as President to enforce neutrality.

On the 18th of June, 1796, Sir Robert Prescott arrived at Quebec, succeeding Lord Dorchester, who sailed in July, was weeked on the Island of Antiscosti, but taken off by a ship of war, and carried to his destination. Prescott did not find matters in the Province in a satisfactory state. In Quebec and Montreal riots took place in opposition to the passage of a new road bill, in the former the arrest of a few ringleaders restored order, but the weak conduct of the Magistrates in Montreal encouraged the mob there in their disorderly conduct and to mark his displeasure, Prescott had many of them struck from the lists of Justices of the Peace, replacing them by men of a firmer character. Prescott believed that the opposition to the road bill was only a pretext, that it was the work of emissaries sent by Adet, French Minister to the United States, who had succeeded Fauchet; that the difficulty of discovering these men was a plain proof of the favourable disposition of the lower classes towards the French revolutionaries, still further evidence being afforded by the satisfaction shown by so many at the report that a French fleet was on the coast (Q. 78, p. 8). The latter refers to a report that a squadron of French line of battle ships was on the coast of Newfoundland early in September and had taken possession of St. John's (p. 3). Detectives were employed to search for Adet's emissaries and the deposition of one of these, William Stanton, and of American citizens, left no doubt that these emissaries were on the frontier and had been in communication with correspondents in Canada. A commission from the French Republic to one Joseph du Calvet of Montreal appointing him an ensign with the rank of sub-lieutenant in the Sappers, was obtained and forwarded as evidence (Q. 78, pp. 145 to 158). A voluntary witness—Elmer Cushing—gave very positive evidence on oath of the existence of a conspiracy, his testimony pointing to McLean, who was afterwards executed for treason. By this deposition, it is evident how anxious the man, whose name Cushing declined to give, was to let his designs be known and to secure adherents to the French cause (Q. 78 pp. 137 &c.) Nor was the belief confined to Prescott and his advisers that an attempt would be made on Canada and that preparations had been secretly in progress for some time. Mr. Liston, British representative to the Government of the United States, was at the time the information was reaching the Executive in Canada, warning them of the designs of the French officials in

Philadelphia. What these designs were, as deduced from the information in possession of Mr. Liston, may best be shown by a quotation from his confidential letter to Governor Prescott of the 28th of Novembr, 1796, as the state of affairs therein described had a direct bearing on the affairs of Canada. Mr. Liston says:—

From the time that the Government of America discovered a resolution to maintain her neutrality during the present war, and to enter into relations of commerce and friendship with Great Britain, the French agents in this country appear to have suggested to their employers the necessity of obtaining a predominant influence over the United States by means of threats and compulsion and the late and the present Minister seem to have agreed in opinion that the only certain means of obtaining this important object was the acquisition of at least a part of the territories formerly possessed by France on the American Continent. Fauchet (as appears from his intercepted correspondence) would have contented himself with the recovery of Louisiana. There is reason to think that Adet, on the contrary, has recommended that this should be joined with the repossession of Canada. The success of Fauchet's representations begins to be guessed at here, by the rumours that arrive from Paris respecting the negotiations on the subject lately carried on between the Executive Directory and the Court of Spain, by the resort of the French emissaries to the South Western territory of the United States and by the haughty tone of the late memorial presented by the French Minister here, which seem to indicate a wish to pick a quarrel (though many persons consider this last circumstance as calculated to influence the election of a new President). How far the projects of Adet have been adopted in France, I cannot pretend to judge, but there is no doubt that a person nearly connected with him (a Frenchman by birth but who is said to speak English like a native of Great Britain) is lately returned from a tour of several months through Canada, where some of the more indiscreet members of the Democratic party say he met with considerable success in perverting the minds of the people. They go so far as to assert that three deputies from the French inhabitants of that Province are already on their way to Europe with a view to make proposals to the Government of their ancient Mother Country. The person himself is also expected soon to set out for France with dispatches from the Minister here. He is to communicate to the Executive Directory the result of his own operations and of the speculations of Mr. Adet (Q. 78 pp. 208–209).

Mr. Liston does not answer for the perfect accuracy of all the details, which may be coloured by the vanity of the emissary whose real name he gives as Arrison, though in Upper and Lower Canada he called himself an Irishman, and assumed the name of Burns. (p. 210).

There were other causes of uneasiness arising from the intrigues of the French Republicans. On the 19th of December, 1796, the Attorney General reported by letter to Ryland, the Secretary to Prescott, that a spy sent by the French Directory was in Canada, with copies of a proclamation for distribution. The report contained information even more serious, as showing how far the intrigues of Adet had been successful. The Attorney General gives information in the same letter of the preparations making in Vermont. He says:—

I find also that our friends in Vermont are more inclined to favour the projected attack on Canada than we supposed. Ira Allen has contracted at Paris for a quantity of arms, ostensibly for the Vermont Militia. This, however, is not probable, because, as I am informed, the Militia in Vermont are by law bound to furnish their own arms. The Government has nothing to do with it (Q. 78, p. 159).

That the information sent by the Attorney General was correct was soon confirmed by a letter from the Duke of Portland, dated on the 20th of January, 1797, announcing the capture of a vessel called the "Olive Branch" with 20,000 stand of arms,

several pieces of artillery, suitable ammunition and other warlike stores, on board of which was Ira Allen, who declared that the cargo had been purchased by order and on account of the Government of Vermont. What were His Grace's ideas on the subject may be seen in the letter at Note D., to which reference may be made. The substance of the further correspondence on the subject of the "Olive Branch" can be seen in the calendar. It has a close and intimate relation to the charge against McLean (or McLane, the name being given in both forms). That a conspiracy existed for an attack on Canada on behalf of the French Directory seems to be too clearly proved to admit of denial, and the additional evidence now available may serve to show to what extent McLean was engaged in the plot. The documents are now accessible upon which proceedings were taken and the time has arrived when an unbiased judgment may be arrived at. It was a significant fact, as stated by Prescott, that not a copy of the proclamation sent into Canada by Adet could be obtained, although traced to the possession of no less than ten persons (Q. 78, p. 235.) That there was no undue haste in arresting McLean would seem to be proved by the letter of the Duke of Portland, calling attention to the remissness in this respect (Q. 78, p. 162.) It was not till the 10th of May, 1797, that McLean was arrested, although information of his proceedings was in the hands of the authorities in the month of December previous (Q.78, p. 149). He was tried and found guilty on the 7th of July (p. 157) and executed on the 21st (p. 158).

Whilst attempts were made to gain over the inhabitants of Lower Canada and to prepare the way for that Province being invaded, Collot, a French General was with others engaged with the Indians in the Western Country for the purpose of uniting them to attack Upper Canada, so that the war might be carried on simultaneously in both Provinces (Q. 286–1, p. 33). Collot went to France, apparently to report progress, and to return in 1799, before which time McKee, Indian Superintendent, reported that elaborate preparations had been made to resist such an attack (Q. 286—1, p. 87). Further evidence of the designs of Adet, the French Minister, can be found by reference to the letters of Le Couteulx, dated during the winter of 1796 and the spring of 1797, of which copies were found in his possession, on his arrest at the end of 1799 (Q. 290–1, pp. 5, &c. These will show the feelings entertained by M. Adet and his friends and are an evidence of their belief that the French troops had only to appear to obtain possession of the Provinces.

During the time these disturbing elements were at work other more peaceful designs were under consideration. The cultivation of hemp for the use of the Royal Navy was an object of interest to the British Ministry and a Russian was engaged to come to Lower Canada in order to direct the farmers and instruct them in the proper method of sowing and attending to its growth and preparation. In January 1792, Reichel, the person engaged, had arrived in London and sent written instructions in advance, in case he should not arrive at Quebec until after the proper time for sowing, (Q 58–1, pp. 9 to 11). In Upper Canada, a request was sent by John Munroe of Matilda, to have two or three Russians sent out to put the farmers there in the way of raising and curing hemp as they do in Russia. (Q. 278, p. 75). Again in 1799, a memorial was presented by the Marquis de Vauquire, for an allowance of the three guineas a month, or an advance, of £200, which he offered to bind himself to repay in ten years, this, as he stated, with the amount he had at the time of his sailing, would infallibly put him in a position to found the establishment he

had in view, that is, one for the production of hemp, to which, he alleged, he had given particular study, so as to be familiar with the different processes, and with the simplest and most certain methods of extending its cultivation (Q 81-2 p. 547). In June, 1801, Chief Justice Elmsley, on behalf of the Executive Council, made an elaborate report on the culture of hemp to Lieut. Governor Hunter, in which he gave a most favourable account of the fitness of Upper Canada and strongly recommended that bounties should be offered to the farmers to encourage them to enter upon the work of cultivation on a large scale (Q 290-1 p. 61), which was approved of by the Lieut. Governor and forwarded to the Ministry (p. 71). Writing to the Duke of Portland on the 16th July following, the Lieut. Governor informed His Grace that £250 out of the unappropriated funds had been voted for the purchase and distribution gratis of hemp seed and £500 to be laid out in premiums and bounties "to the deserving cultivators and exporters of hemp" (p. 73). (For the addresses and the answer by the Lieut. Governor see the same volume pp. 76, 78 and 80). In 1802 Mr. Isaac Winslow Clarke, Deputy Commissary General, received a gold medal for the culture and preparation of hemp in Lower Canada, on his farm near Montreal, of which he had sent 2,580 pounds to the society for the encouragement of Arts and Manufactures, which also gave a gold medal to Jacob Schneider of York, and the silver medal to Daniel Mosher, of Kingston, both for the culture of hemp in Upper Canada (Transactions of the Society for the encouragement of Arts, &c. London 1804 pp. 345, &c.) It being only designed to draw attention to the subject, no further remarks seem necessary.

Nothing so clearly marks the change in commercial affairs in Canada as a comparison of a memorial presented by the merchants of Montreal against the establishment of a Custom-house there, separate from that at Quebec, with the present state of affairs. In 1790, as stated in the memorial, the merchants of Montreal desired to have a Custom-house separated from that of Quebec on two grounds: 1. The necessity of having their goods landed at Quebec; and 2. The want of authority in the Surveyor of the Port to grant certificates for the exportation of pot and pearl ashes. These inconveniences being removed, the application was not repeated. The memorial, dated the 21st of October, 1799, represents that certain modifications are all that are required, and that "a separate and independent "Custom-house may introduce intricacies, difficulties, delays and expense, beyond "what at present exists, or can be foreseen; and, if so, render the means of redress "extremely tedious, not to say impracticable." The names not being numerous, may be given in full:—Isaac Todd, Forsyth Richardson & Co., Auldjo Maitland & Co., Leith Jameson & Co., John Gray, Samuel David, James & Andrew McGill, David David, McTavish Frobisher & Co., J. Laing, Parker Gerrard & Ogilvie, Richard Dobie. The Attorney General, Sewell, took very strong ground in opposition to the establishment of a separate Customs house as in violation of the Revenues Act, and absolutely nugatory in regard to the entry of vessels coming from Sea. (Q. 84, p. 28). The Committee of Council concurred with the Attorney General in his views, adding, besides the consideration that the measure of establishing an independent Custom house at Montreal was contrary to the wishes of the merchants there, that the measure, "must of necessity tend to the "diminution of the Provincial revenue, without producing any corresponding "benefit," (Q. 84, p. 32), and that the execution of the measure "would certainly be

"opposed by the whole of the mercantile and shipping interest of the Province." (p. 33).

Prescott, as already stated, arrived on the 18th of June, 1796. His term of office was not marked by ease and comfort to himself. Besides the threats of attack from without, his constant disputes with his Council, and even with the officers most closely connected with him in his official capacity, must have rendered his task most unpleasant. A very clear view of his disputes with the Council, with Mr. Secretary Ryland, &c, may be obtained by consulting volumes 80 to 83 of Series Q. (State Papers, Lower Canada), so that it is not necessary to enter into any details on the subject. The evidence on both sides will enable a fairly correct opinion to be formed of the justice or otherwise of Prescott's complaints against the conduct of his Council, both sides stating their case at great length and without much reserve.

To so great a height did the quarrels attain, that on the 10th of April, 1799, the Duke of Portland, Secretary of State, ordered Prescott's return. As the letter of recall shows the serious nature of the differences between the Governor and his Council, it appears desirable to quote the order :—

It is with infinite concern I have observed from your letters and the memorials which I have received from the Executive Council of Lower Canada, that the differences and disputes which have unhappily arisen between you and that body, instead of abating, continue daily to increase and threaten to bring on such a state of things as cannot but be attended with the most dangerous consequences to the character and even to the existence of His Majesty's Government, if suffered longer to prevail within the Province.

In order to guard against the possibility of so fatal an event, and to restore harmony to the Executive part of the Government, and a due subordination throughout the Province, your return to this country is judged to be of the utmost importance and I am therefore commanded to signify to you His Majesty's pleasure that you forthwith prepare with as little delay as possible to return to this country. (Q. 82, p. 3.)

In the same letter, Prescott was informed that his successor was appointed, although the name was not given, and that Major General Hunter, Lieut. Governor of Upper Canada, was to take command of the troops in both the Canadas, with the rank of Lieutenant General. General Hunter arrived at Quebec on the 13th of June, and in a private letter to Mr. King, the Under Secretary, dated the 24th of July, 1799, stated that Prescott would sail next day. He reported that Upper Canada was in a state of perfect tranquillity and that the steady, wise and prudent conduct of Governor Milnes (Sir Robert Shore Milnes) would very soon remove all the evils which had lately disturbed Lower Canada. The frank expression of opinion, such as is contained in General Hunter's letter to Mr. King, is not often to be met with in such correspondence; it is, therefore, given in full :—

I had not the honour of knowing General Prescott before I saw him here, but if I was to judge of him from his behaviour since we arrived here, particularly his conduct to Governor Milnes, I should not hesitate a moment to pronounce him mad. (Q. 286, p. 494.)

Whatever quarrels may have arisen between Prescott and his Council, his popularity with the inhabitants generally, if addresses can be relied on as evidence, was widespread. On the news of his recall being made public, addresses were drawn

up and signed by a very large number of people, as the following table will show. Those signing were not of one class; they were of all the classes, nationalities and creeds which composed the population.

In Quebec, the number of signatures was	6,845
Three Rivers	215
Montreal 242 and 495	737
Boucherville	49
Rivière Chambly	8
Rivière du Chêne	12
St. Vincent de Paul	13
William Henry (Sorel)	82
Total	7,961

A large proportion out of the population at that time, and an indication that it would be well to examine carefully the nature of his quarrels with his Council, so as to ascertain if Hunter's charge, that he was mad, is supported by the evidence.

Sir Robert S. Milnes arrived at Quebec on the 13th of June, 1799, after having had a narrow escape from shipwreck on the coast of Newfoundland, the "Topaz" having actually struck a rock on the 2nd of the month, but got off without material injury. (Q. 82, p. 284.)

The financial position of the Governor was felt by Milnes to be very embarrassing. He represented to the Duke of Portland on the 10th of September, the inadequacy of his salary and allowances, partly on the ground of the cost of all the necessaries of life, but chiefly for other reasons, which are best given in his own words. He expresses his unwillingness to mention the subject at first,

Till a few months residence here had convinced me that my present salary is insufficient, if I reside at the chateau (Government House) and keep up that kind of establishment which a Governor is expected to do, and which I know from former experience goes so far in uniting and reconciling all parties and thereby essentially promoting His Majesty's service (Q. 83, p. 211). I am sensible that I might by living entirely as a private individual keep within the bounds of my present salary and avoid giving your Grace this trouble, but in so doing I should not feel myself acting up to what I conceive to be for His Majesty's Service (p. 212). There is perhaps no part of His Majesty's dominions where the comfort of every individual, and consequently the popularity of the Governor depends so much upon his manner of living as at Quebec; the length and severity of the winter; the entire exclusion for so many months from any communication with other parts of the world; joined to the contracted fortunes of the Canadians in general and there being no public places of meeting whatever at Quebec, make all the society and friendly intercourse of the place turn upon that point. It is therefore, incumbent upon the Lieut. Governor as on the Governor in chief to keep up the usual establishment of the Chateau. (p. 213).

His representation was attended to and an increase granted to continue so long as he, as Lieut. Governor, performed the duties of Governor General. (Q. 84, p. 2).

In Lower Canada, Milnes seemed determined to act in an impartial manner and not to allow his mind to be prejudiced by one sided statements as to the causes of the quarrel between Prescott and his Council.

On the 26th of June, 1799, immediately on the arrival of Milnes, Prescott requested him to advise as to what answer should be sent to the Council in reference to the disputes respecting land grants, and forwarded to him a large collection of documents bearing on the subject. These Milnes returned unopened, "as," he said

in his note to Prescott, "I feel it impossible at the present moment to give any opinion either directly or indirectly on this subject." In his letter to the Duke of Portland of the 10th July, Milnes explains his reasons for refusing to comply with Prescott's request. Had it appeared to be conducive to His Majesty's service he would not have hesitated, but, he continues: "It was impossible for me to form a "judgment upon a partial communication with him only and I could have no oppor-"tunity to hear the sentiments of the Executive Council had they been assembled, "the Lieutenant Governor having no seat at the Board, whilst the Governor resides "in the Province." (Q. 83, p. 2.)

Besides, he considered that the Council would naturally suppose him to be biased and that he had prejudged a question which should have been discussed before a conclusion was arrived at (p. 3).

The letter from Milnes to the Duke of Portland (No. 5) of 21st August, 1799, being short may be given in full, as showing the different manner in which he dealt with the Council from that employed by his predecessor:

My Lord, I have the honour to transmit your Grace a copy of the minutes of the Executive Council concerning the Waste Lands of the Crown from the 19th of July to the 19th instant inclusive, for the purpose of showing Your Grace the manner in which I have brought forward the consideration of the Land Business.

I have the satisfaction to add that as far as I am able to judge of the disposition of the Council, I am led to believe that the result of their proceedings on this business will remove the difficulties which have hitherto attended it and give every reasonable degree of satisfaction to the applicants (Q 83, p. 204).

In a private note to Mr. King, the Under Secretary, it is plain that he feels satisfied with the beginning he has made with the Council. "You will see," he says, "by "my dispatch that I have opened the campaign on the Land Business, and I have "reason to think it will go on well." (Q 83 p. 207).

In forwarding a voluntary subscription for carrying on the war, an address in French to which the names of the subscribers and amounts of the subscriptions were attached, was presented, which describes the struggle between the powers in these terms:—

A contest whose issue shall decide if mankind may still hope to enjoy in future the consolations and advantages which proceed from religion, liberty and social order, or if, under the specious pretext of liberty and equality it must become the victim of despotism and oppression * (Q 83 p. 152).

Of the amount subscribed, the sum of of £1,419 was paid at once, but besides this there were annual contributions, ranging from £5 up to about £70, to continue during the war.

In Upper Canada, Simcoe the first Lieut. Governor, obtained leave of absence, but when he left Canada in August, 1796, it was permanently. The year before he gave up the administration, a tragedy occurred which his letter on the subject shows he regarded as of very serious import, the danger of which was removed by a still deeper tragedy. Writing to the Duke of Portland on the 22nd December, 1795, he says: -

* Une contestation dont l'issue décidera si le Genre humain a encore à espérer de jouir à l'avenir des consolations et des avantages qui proviennent de la religion, de la liberté et de l'ordre social, ou si, sous le prétexte spécieux de liberté et d'égalité, il doit devenir la victime du despotisme et de l'oppression.

Your Lordship has not thought proper to give me the directions which I felt it my duty to ask from you, relative to the murderer, Captain Brant's son. I consider it as a fortunate circumstance that in attempting to assassinate his father, this dangerous young man fell the victim of his own atrocity.

I had determined to demand the murderer, and meant in case of refusal to have supported the civil power in his apprehension with the whole military force of the country for which I had begun preparations. (Q. 282,—p. 142).

Among the Indian papers in Series C Vol. 248, is an explanation of both affairs, so briefly referred to by Simcoe. Colonel Butler, Indian Superintendent, wrote on the 8th of April, 1795, to Joseph Chew, the Superintendent stationed at Montreal, that he had heard that captain (Joseph) Brant's son Isaac had "cruelly and without any "cause or provocation murdered a white man who was settled at the Grand River." (C. 248, p. 35). On the 11th of the same month, W. Johnson Chew, the storekeeper of the Indian Department at Niagara, gave further details. The murdered man, he stated, was a deserter from Wayne's army, a harness maker, or saddler, who promised to be of great use to the settlement. Then he adds:—"Captain Brant, I hear, is "extremely distressed about it, and that he had been heard to say he wished his "son might be demanded." (p. 37).

Whatever might have been Brant's wishes for the surrender of his son, it is clear from what followed that he was left at liberty. W. Johnson Chew, who had been distributing presents to the Grand River Indians, writing on the 23rd of the following November (1795), but without giving the exact date of the occurrence, which had evidently taken place a short time before, says:—

When at the head of the Lake, Captain Brant's son, Isaac got drunk, and abused his father in the most shameful manner, making use of the most opprobrious epithets that can be imagined, and on Captain Brant going into the room where he was made a stroke at him with a knife, which Captain Brant warded off with his hand, at the same time wounded his son on the head by a stroke with a dirk. They were almost instantly parted by people present, but the wound which Isaac received terminated his existence seven days after at the Grand River, where he made out to get. Captain Brant was badly hurt in the hand. It is almost unnecessary to mention that the fatal issue of this contest renders him very unhappy. (C. 248, p 352).

In W. L. Stone's "Life of Joseph Brant" (New-York, 1838), an account is given of the character and conduct of Isaac, and of the murder for which Simcoe was determined to have him arrested, the name of the murdered man being there given as Lowell. (Life of Brant, Vol II, pp. 463 to 467). Much light is thrown upon the course followed by Brant by the correspondence calendared in this report to which reference may be made. By this it will be seen that whilst at one time full confidence was felt in his warm attacment to the British Government, it was at others suspected that he was actuated more by selfish than by public considerations in the policy he adopted. Russell's correspondence shows the dilemma in which he was placed by Brant's policy in regard to the disposal of lands and is a clear evidence of the strength at that time of the Indian Nations which, to some extent at last, explains Simcoe's endeavours to interpose settlements between them, so as to prevent a general confederacy of the tribes.

For the general state of affair in the Province of Upper Canada, during the administration of Mr. President Russell, it may be sufficient to refer to the calendar. The offices held by Major General Hunter, of Lieutenant Governor of Upper Canada

and Commander in Chief of the Canadas, the latter of which required his absence from the Province, led to doubts and difficulties as to the proper method of administering the government wilst he was engaged in his military duties in Lower Canada; these were, however, arranged. Reference may be made to the correspondence in Q. 287 between Lieut. Governor Hunter and the Duke of Kent, when the latter was at Halifax and held the chief command. It will give an indication of his independence of character, as his description of Prescott and Russell will show clearly his blunt method of thinking and speaking.

An incident of a tragical character shows that the practice of duelling was introduced into Canada, although few cases are on record. The death of Mr White, the Attorney General, was communicated to Lieut. Governor Hunter, in a letter dated the 8th January, 1800, in these words:—

It is with the utmost concern that I now proceed to inform your Excellency of an event which has taken place here within a few days past.

Mr. Small, the Clerk of the Council, having reason to suspect that the Attorney General had propagated a report reflecting in the strongest manner on the character of Mrs. Small, went to him on the 2nd instant and demanded an explanation, and the answer of the Attorney General not being satisfactory, challenged him. The Attorney accepted the challenge and they met the next morning. The result was that the Attorney General received a wound in his side, of which he languished in great pain until the evening of the 4th and then expired. Mr. Small surrendered himself to justice last night. (Q. 287–1 p. 104.)

The calender for both Upper and Lower Canada being carried down only to 1800 and the two Lieutenant Governors, Hunter in Upper and Milnes in Lower Canada, having remained till the middle of 1805, any further remarks on the events occurring during their administration can only be made with advantage when the calendars of subsequent volumes are published.

The whole respectfully submitted,

DOUGLAS BRYMNER,
Archivist.

OTTAWA 31st December, 1891.

List of Books, &c., presented, with the Names of the Givers.

American Bankers Association	New York	Pamphlets.
American Catholic Historical Society.	Philadelphia, Penn.	Records.
Adams, H. C	Washington, D. C.	Statistics of Railways.
Bates, William W.	do	List of vessels in the United States.
Campbell, Archibald	Quebec	The "Royal William."
Cayuga Historical Society	Auburn, N. Y.	Collections No. 8 and 9.
Civil Engineers, Society of	Montreal	Transactions.
Cruikshank, Ernest	Fort Erie	Historical Collections.
De Lancey, Edward F.	New York	Collections of New York Hist. Society.
Desjardins, Gustave	Paris, France	Le service des Archives.
Grand, E. Daniel	Montpellier, France.	Historical Pamphlets.
Haycock, Edward	Ottawa	Portrait of Col. Butler.
Irving, L. Homfrey	Toronto	Canadian Military Institute 1890-91. Militia Returns 1825-29.
Keefer, T. C	Ottawa	Papers relating to the Welland Canal.
Montreal Harbour Commissioners	Montreal	Reports.
Murphy, J. J.	Toronto	Collection of Pamphlets.
McFarlane, Thomas	Ottawa	Historical Pamphlet.
McLachlan, R. W.	Montreal	Pamphlets.
Neil, Edward D	St. Paul, Minnesota.	Historical Contributions.
Neild, Ashton.	Bristol	Hudson's Bay.
Neilson, Surgeon-Major	Kingston	Manuscripts.
Pense, E. J. B	do	Honor Roll Veterans 1837.
Perry, Bishop of Iowa	Davenport, Iowa	Collection of Historical Pamphlets.
Poole, W. F.	Chicago, Illinois	Report Newberry Library.
Powell, Col. Walker	Ottawa	Prince Edward Island Militia Orderly Book.
Literary and Historical Society	Quebec	Transactions of the Society.
Remington, Cyrus K	Buffalo, N. Y.	Ship Yard of Griffon.
Rouillard, Eugène	Quebec	Bibliothèque Publique.
Royal Society of Canada	Ottawa	Proceedings.
Watts, John W. H	do	Collection of Pamphlets.
White, Richard.	Montreal	do do
Winsor, Justin.	Cambridge, Mass.	Harvard College Bibliographical Contributions

NOTE A.

SETTLEMENTS AND SURVEYS.

No. 1.—A SURVEY OF THE SETTLEMENT AT NIAGARA, 25TH AUGUST, 1782.

NOTE A.

SETTLEMENTS AND SURVEYS.

No. 1.—A SURVEY OF THE SETTLEMENT AT NIAGARA, 25TH AUGUST, 1782.

(*Canadian Archives. Series B, Vc' 169, page 1.*)

Heads of Families.	Married women.	Young and hired men.	Boys.	Girls.	Male slaves.	Female slaves.	Horses.	Oxen.	Cows.	Steers and Heifers.	Sheep.	Hogs.	Flour.	Produce of this year. Wheat.	Indian corn.	Oats.	Potatoes.	Acres of clear Land.
														Bush.	Bush.	Bush.	Bush.	
Isaac Lolson	1		3	2			4		4	2		14		80	60	6	100	30
Peter Secord	1		3	2			5		6	2		10		15	200	4	70	24
John Secord	2		1	1			6		7	3		3		50	50		70	27
James Secord	1		1	3			3		3		11	3		7	100		30	20
George Stuart	1		2				3		2	2		9		4	20		30	9
John Depue	1		3	3			3		3	2		6			200		50	16
George Fields, Rangers	1		2				4		2	1		8		50	50		30	22
Daniel Rowe	1		2				2		2	1		3			30		40	6
Elijah Philips	1						3		1						20		20	8
Philip Bender	1		1	2			2		2	1	19	10			10	20	30	12
Samuel Lutes	1		4	1			3		4	3		8			100		20	18
Michael Showers, Rangers	1		2	4			2					3			40	6	15	12
Harmonius House, Rangers	1		3	2			2		3	2		6			20		60	12
Thomas McMicken	1	1	2		1		2		1			20			10	10	10	8
Adam Young	1						2		2						12		15	4
McGregor Van Every	1						3								4		40	8
Total	17	1	29	20	1		49		42	19	30	103		206	926	46	630	236

JOHN BUTLER

The expenses for building a saw and grist mill at Peter Secord's farm will amount to £500, N. Y. currency for cutting and hauling Boards and Timber, building, digging and filling in both Dams, nails, Iron Stones, bolting cloth and saw excepted.

The saw mill to be built first to get boards and small Timber for the Grist Mill.

The expense at the head of the Four Mile Creek will amount to £50 more, where there is plenty of water for both mills, which the other has not.

JOHN BUTLER.

No. 2.—Lt. COLONEL JOHN BUTLER TO CAPTAIN MATHEWS.

(*Canadian Archives, Series B. Vol.* 169, *page* 3.)

Niagara 3rd May 1783.

Sir,—Your much esteemed favours of the 12th March I received. Brigadier General Maclean has not as yet communicated to me His Excellency's pleasure respecting Captain Tinbrook.

As His Excellency the Commander-in-Chief is very desirous to know the progress of the Farmers settled near this Post, I take this opportunity to transmit you an exact survey of the Settlements, and will as soon as possible send you an estimate of the same specifying the quantity of Land already cleared and cultivated with the different kinds of grain planted and sown &c.

I also inclose the account for surveying those Lands, which I beg you will lay before His Excellency as Sir John Johnson has positively forbid the making any charges in the contingent accounts, that is not immediately Indian expenses, and Brigadier General Maclean has also refused to defray any expenses of the kind whatever.

Several people have apply'd to settle on Lands at this Post, and would have been doing something for themselves by this time, had they not been refused Provisions.

I have comply'd with His Excellency's commands in every respect as nearly as possible relative to Indian affairs, indeed I cannot help saying far exceeding my own expectations circumstanced as I was, but my close application, and strict attention to the Indians has hitherto kept them in good Humour; but now I am fearful of a sudden and disagreable change in their conduct, as yesterday an express arrived here from General Washington with the Terms of the present peace, the Indians finding that their Lands are ceded to the Americans, will greatly sour their Tempers and make them very troublesome and will be attended with great difficulty to reconcile them to such Terms. I have wrote Sir John on the occasion and requested his presence.

I am Sir with great regard, &c.,

JOHN BUTLER.

Capt. Mathews.

No. 3.—RETURNS BY LT.-COLONEL DE PEYSTER.

A List of the Persons who have Subscribed Their Names in Order to Settle and Cultivate the Crown Land Opposite to Niagara. July 20th, 1784.

(*Canadian Archives, Series B. Vol.* 168, *page* 38.)

SETTLERS WHO RECEIVE RATIONS.

B.—Benter, Philip; Burch, John.
C.—Chisholm, John.
D.—Dolson, Isaac.
J.—Johnson, Rudolph.
P.—Phelps Elijah.
R.—Rose, Daniel.
S.—Sampson, Lutes; Secord, John, sen.; Secord, Peter; Secord, Widow.

SETTLERS WHO ARE TO RECEIVE RATIONS TO 24TH DEC. NEXT.

E.—Elbsworth, Francis.
H.—House, Hermanus.
L.—Lyons, William.
M.—Mattice, Henry.
Y.—Young, Adam.

YOUNG SETTLERS WHO RECEIVE RATIONS.

B.—Bruner, Jacob; Brown, Ezekiel.
C.—Coon, John.
D.—Depue, John.
F.—Fields, George; Forsyth, James.
J.—Johnson, Brant.
Mc.—McMicken, Thomas; McDonell, Allan; McDonell, John, Corpl.
M.—Millard, Thomas, sen.
P.—Petrey, Joseph, jun.
R.—Rancier, George; Reilley, John; Robeson, Joseph.
S.—Secord, Silas; Showert, Michael; Stewart, George.
T.—Thompson, Peter.

YOUNG SETTLERS, LOYALISTS, AND BRANT'S VOLUNTEERS WHO RECEIVE RATIONS.

B.—Barnes, James; Brigham, Elis; Brown, Elijah; Bryan, Patrick.
C.—Cole, Daniel; Colrich, Peter.
D.—Davis, John; Depue, Charles; Depue, William; Dolson, John; Drake, Joseph.
E.—Emmett, Stephen; Every, Jordan.
L.—Land, Robert; Lang, John.
M.—Miller, Andrew; Miller, Peter.
P.—Park, James; Petrey, Joseph, sen.
S.—Seally, Lodwick; Secord, John, jun.; Secord, Peter; Slingerland, Anthony; Soper, Samuel.
T.—Terry, Purshall; Thompson, Archibald; Turner, Edward.
W.—Westbrook, Antony; Wing, Abram.
V.—Volick, Isaac.

LIEUT.-COL.

B.—Butler, John.

CAPTAINS.

B.—Bradt, Andrew.
D.—Dame, George.
F.—Fray, Bernard.
H.—Hare, Peter.
Mc.—McDonell, John.
T.—Tenbroek, Peter.

LIEUTENANTS.

B.—Ball, Jacob; Bradt John; Butler, Andrew; Butler, Thomas.
H.—Hanson, Richard; Hare, John.
R.—Reynolds, Caleb; Rosecrantz, Michael.
S.—Secord, Solomon.
T.—Turney, John.

SURGEON'S MATES.

B.—Burke, Patrick.
G.—Guthrie, Robert.

SERGEANTS.

B.—Bebee, Adin.
C.—Campbell, James; Campbell, Robert.
D.—Deill, Henry.
F.—Fedrick, Jacob.
K.—Kooman, Adam.
Mc.—McDonell, Peter; McDonell, Randal.
M.—Mabee Lewis; Mount, Moses.
S.—Secord, Stephen; Smith, Peter.
V.—Van Every, David.
W.—Wanner, Christian; Winn, Thomas.
Y.—Young, David; Young John.

CORPORALS.

A.—Anderson, Elias.
F.—Frelick, Benjmn.
H.—Heaslip, James; Hogerman, Arnold.
S.—Schram, Frederick.
W.—Wintermut, Peter.

DRUMMERS.

P.—Philips, John.
W.—Withy, John.

DISBANDED RANGERS, &c.

A.—Adams, William; Anguish, Jacob; Arner, Jacob; Arnold, Oliver; Austin, Joel.

B.—Basset, John; Bebie, Adin; Bell, Derick; Ben, Tom; Benson, Thomas; Berger, Frederick; Bowman, Adam; Bowman, Jacob; Bowman, Peter; Boyce John; Bradt, Minart; Brown, John; Brown, William; Burns, John; Bush Peter.

C.—Campbell, James; Campbell, Thomas; Cassady, Daniel; Cassady, Luke; Chambers, Francis; Chorrus, Castel; Coghill, George; Conway, Patrick; Countryman, Joe; Cox, Samuel; Cuming, Thomas.

D.—Doyle, Benjamin.

F.—Farrell, John; Field, Gilbert; Fields, Nathan; Fleming, Patrick; Foryea, John; Foskit, Silas; Fridenburg, Mathew.

G.—Gahagan, Oliver; George, John; Gould, John; Goulding, Thomas; Grellinger, John.

H.—Haigison, William; Hare, Peter, Volun; Hare, William, Vol.; Harper, Thomas; Harris, Henry; Henry, William; Hicks, Benjamin; Hicks, Edward; Highbie, Chris.; Hohardoran, Herms; Hollenbake, Henry; Hombeek, Lodk.; Horton, Edmund; Houghdeline, James; House, George; Hoverland, Andrew; Hudson, John.

J.—Jackson, James; Jacobs, John A. C.; Jaga, Henry; Jones, James.

K.—Kairns, Mathias; Kooman, Mends.

L.—Lampert, Aiker; Laraway, Abram; Laraway, Jonas; Laraway, Peter; Lazear, Hyatt.

Mc.—McDonell, Christy; McDonell, William; McLeod, Norman; McMickell, John; McPherson, James.

M.—Maycock, John; Millard, Dan; Millard, Jesse; Millard, Thomas; Marseles, John B.; Mitchell, Gilbert.

N.—Napp, Benjamin.

P.—Page, Joseph; Parks, John; Philips, Nicholas; Pierpoint, Richard; Poole, Hendrick; Prout, Shuman.

Q.—Quick, Benjamin; Quick, Solomon.

R.—Ramsay, Henry; Rowe, John.

S.—Schram, Van Alstine; Segoe, Frederick: Segoe, Jacob; Shelding, John; Shoulitz, Frederick; Sips, Andrew; Skuse, John; Smith, Adam; Snider, John; Spencer, Robert; Springer, Richard; Springston, Casper; Stedman, William; Stuffle, John; Sutton, Thomas.

T.—Topp, John; Townshend, James; Turnbull, William.

V.—Van Alstine, Jacob; Vandscar, John; Vandyke, Graus; Van Every, Benj.; Van Every, McGregory.

W.—Walker, Jacob; Wheeler, Samuel; Windecker, Hendrick; Wormwood, Mathias; Wormwood, Peter.

LOYALISTS ARRIVED THE 19TH JULY FROM CANADA.

B.—Bowman, Adam; Brown, Joseph; Buck, Philip.
E.—Eyckler, William.
H.—Huffman, Michael.
J.—Johnson, Conrad; Johnson, John.
L.—Lampman, Frederick; Lampman, Peter.
Mc.—McClallin, William.
N.—Nullard, Josiah.
S.—Skinner, Henry; Skinner, Josiah; Skinner, Timothy.
V.—Veders, Cornelius; Vanderslip, Frederick.
W.—Wickoff, Peter.

Number of souls: Men, 258; women, 99; children above ten, 148; children under ten, 115. Total, 620. Rations per day 521½.

A. S. DE PEYSTER,
Lt. Colonel.

No. 4.—GENERAL ABSTRACT OF MEN, WOMEN AND CHILDREN SETTLED ON THE NEW TOWNSHIPS ON THE RIVER ST. LAWRENCE.

(*Canadian Archives Series B., Vol.* 168, *page* 42.)

These begin at No. 1, Lake St. Francis, going upwards. Montreal, July, 1784.	Men.	Women.	Children.	Servants.	Total.
1st Battalion, late King's Royal Rgt., N. York and those attached, settled on Townships Nos. 1, 2, 3, 4 and 5	549	257	631	25	1,462
Part of Major Jessup's corps and those attached, settled on Townships Nos. 6 and 7 and part of 8	187	85	211	12	495
2nd Battalion, late King's Royal Rgt., N. York and those attached, settled on Townships Nos. 3 and 4, Cataraqui	199	32	69	10	310
Capt. Grass's party and those attached, on Tp. No. 1, Cataraqui	88	33	66	....	187
Part of Major Jessup's and those attached, settled on Township No. 2, Cataraqui	137	71	214	12	434
Major Roger's corps and those attached, settled on Tp. No. 3, Cataraqui	120	47	118	14	299
Major Van Alstine's party of Loyalists settled on Tp. No. 4, Cataraqui	92	46	103	17	258
Different detachments of disbanded Regular Regiments settled on Tp. No. 5, Cataraqui	153	39	67	....	259
Detachment of Germans with Baron Reitzenstein, settled in Tp. No. 5, Cataraqui	30	8	6	....	44
Rangers of the Six Nation Department and Loyalists settled with the Mohawk Indians at the Bay of Quinté	13	8	7	...	28
	1,568	626	1,492	90	3,776

JOHN JOHNSON.

Nominal Returns of Disbanded Troops and Loyalists settled in Township No. 1, Cataraqui—Mustered 9th October, 1784.

(*Canadian Archives—Series B., Vol.* 168, *page* 1.)

A.—Allen, Hugh; Anderson, Joseph; Ansley, Amos; Atherson, Wm.

B.—Baker, Fredk.; Bell, Wm.; Bestiede, Jacob; Boone, William; Booth, Jessy; Booth, Zachariah; Bosh, Josh; Brady, James; Boner, Aron; Brown, James; Buck, George; Burnett, John; Burnett, Mathew; Burnet, Thomas.

C.—Cannon, John; Colter, Lieut.; Coulin, Michael; Crouthour, Christr.

D.—Danby, Christian; Day, Barnabas; Dederick, Michael; Dunn, Terence.

E.—Edger, John; Ellerbeck, Emanuel; Everett, John.

F.—Fadle, John; Ferris, John; Findle, Robert.

G.—Gale, James; Gallaway, George; Gibson, Mrs.; Grahams, Robert; Grass, Charles; Grass, Michael; Graves, John; Gray, John; Grooms, Elijah; Grooms, Joseph; Gunip, Britain.

H.—Hall, Richard; Harkeman, Jacob; Harkeman, Joost; Harkeman, Nichs.; Harley, John; Harpil, George; Hilton, Lawrence; Homes, John; Homing, John; How, Wm.

K.—Knight, Malin,

Mc.—McCollock, Chas.; McFarlane, J.; McGuin, Daniel.

M.—Monair, John; Money, Michael; Moore, Thomas; Moorland, John; Morden, Richard; Mosher, John; Most, John.

N.—Napier, John.

O.—Orbid, J. Conrad; Orser, Arthur; Orser, Gilbert: Orser, J.; Orser, Solloman; Orser, widow.

P.—Pardy, David; Prentice, Richard; Palmer, Silas.

S.—Simpson, Alex.; Snukes, Martin; Spires, John; St. John, Wm.; Stringer, John; Swart, Mr.; Swart, Simon.

T.—Taylor, Michael.

V.—Vancoure, Mathew; Vancure, Benjm.

W.—Wamp, Barnabus; Warner, John; Wartman, Abraham; Wartman, John; Wartman, Peter; Watley, Joseph; Whiteman, Daniel; Whitesir, Nicolas; Wills, Wm.; Wilton, George; Wright, widow.

The number of souls: Men, 93; women, 42; children, 80; servants, 5—Total, 220. Acres cleared, 86½.

Return of Disbanded Troops and Loyalists Settled in Township No. 1. Mustered this day, 16th Oct., 1784.

(*Canadian Archives, Series* B., *Vol.* 168, *page.* 95.)

B.—Bangall, Adam; Bangall, Henry; Bangall, Peter; Bangall, Wm.; Beaton, Angus; Brant, John; Burk, Patrick.

C.—Cain, Barney; Cain, John; Cameron, Alex.; Cameron, Angus; Cameron, Hugh; Cameron, John; Cameron, Wm.; Campbell, Allan; Campbell, Donel; Cavert, John; Chambers, Robert; Chisholm, Alex.; Chisholm, Donald; Chisholm, Hugh; Chisholm, Wm.; Clark, Francis; Clark, James; Colewell, John; Colter, James; Crowder, Anthony; Crowder, John; Crowder, Wm.; Culbert, Donel.

D.—De Lancey, Peter; Dingwell, James; Dog, Thomas; Dukey, Wm.

F.—Ferguson, Alex.; Ferguson, Peter; Finney, Peter; Fraser, John.

G.—Gordon, Robert; Grant, Alex.; Grant, Allan; Grant, Archibald; Grant, Augustus; Grant, Daniel; Grant, Donald; Grant, Donel; Grant, Duncan; Grant, Finley; Grant, John; Grant, Peter.

H.—Hagart, John; Henrickson, Peter; Hercurt, Wm.

K.—Kennedy, Alex.

L.—Larway, John; Lyon, James.

Mc.—McCaffrey, John; McCarter, Donald; McCarter, Duncan; McClackery, Alex.; McCloud, Wm.; McDonell, Alex., Capt.; McDonell, Alex.; McDonell, Angus; McDonell, Chichester, Lieut.; McDonell, Donald; McDonell, Hugh, Lieut.; McDonell, Hugh; McDonell, John, Capt.; McDonell, John; McDonell, John B.; McDonell, Kenneth; McDonell, Kermet; McDonell, Roderick; McDonald, Ronald; McGillas, Donald; McGillis, Donel; McGillis, Donel, jr.; McGraves, John; McGregor, Evan.; McGregor, John; McGregor, Peter; McIntire, Daniel; McIntire, John; McIntosh, Donald; McKay, Hugh; McKean, Samuel; McKenzie, Donald; McKoy, Angus; McKoy, Donel; McKoy, John; McLaren, Hugh; McLean, Donel; McLean, Mordick; McLelan, John; McMartin, John; McNaughton, Donald; McNaughton, John; McPherson, Alex.; McPherson, James; McPherson, Murdoch.

M.—Mackison, John; Mackison, John, jr.; Middleton, Robert; Monroe, Hugh; Munro, Thomas; Mustard, John.

R.—Roach, James; Robins, Wm.; Robison, Daniel; Rose, Charles; Rose, Wm.; Ross, Donald; Ross, Philip.

S.—Smith, James; Smith, Peter; Sprattly, Thomas; Summers, Andrew; Summers, Jacob.

T.—Thomas, Wm.; Trape, Richard.

W.—Whilling, David; Wood, John.

The number of souls: men, 145; women, 87; children, 224; total, 456; acres cleared, 12.

Return of Disbanded Troops and Loyalists Settled at Point Mullie Township, Mustered this 19th Oct., 1784.

(*Canadian Archives, Series* B., *Vol.* 168, *pages* 99 and 102.)

B.—Blackley, Moses; Blakeley, Margaret.

C.—Cameron, John; Campbell, Alex.; Campbell, Allan; Campbell, Isabella; Campbell, Kitty; Campbell, James; Campbell, John; Colter, James; Curry, James.

D.—Dickson, Robert.

F.—Falkner, Ralph; Falkner, Wm.; Faulkner, Ralph; Fling, John; Fraser, Angus; Fuller, Samuel; Fundy, Jans.

G.—Goff, Joseph; Graham, Thomas; Grant, Wm.; Gunn, David.

J.—Johnson, John.

L.—Learret, John; Leman, Jacob.

Mc.—McDonell, John; McDonell, Ronald; McDougal, John; McKenzie, Duncan; McKenzie, John.

N.—Noble, William.

P.—Prince, Catto.

S.—Sutherland, George; Sutherland, Thos.; Sutherland, Walter.

V.—Voss, John; Voss, Thomas (3 entries).

W.—Weglin, George.

The number of souls: men, 36; women, 15; children, 39. Total, 90. Acres cleared, 20½.

Return of Disbanded Troops and Loyalists Settled in Township No. 2, Cataraqui mustered this day, 7th October, 1784.

(*Canadian Archives Series, B. Vol.* 168, *page* 77.)

A.—Abrams, Christian; Amey, Jonas; Amsbury, Wm.; Asslestine, Peter; Assletine, John.

B.—Baker, Fred.; Barley, Freman; Beavans, James; Best, Ensign; Borisho, Noris; Brathen, Peter; Brisco, Nathaniel; Brisco, Sergt; Bruce, Stephen.

C.—Carr, Daniel; Carr, Daniel, jr.; Charters, Corpl.; Clarke, Henry; Comber, Paul; Comber, Thomas; Conklin, John; Conklin, Joseph; Corney, Nicholas; Cronckshier, Moses; Cronckwright, Harkelos.

D.—Daley, Peter; Davey, John; Davis, James; Davye, Henry; Dickson, Francis, Donalds, George; Drake, Benjamin; Dulmage, David; Dulmage, Jacob; Dusenbury, Ensign.

F.—Fairfield, Arch.; Fairfield, Wm.; Finkle, Corpl.; Fraser, Daniel; Fraser, R.; Fraser, Thomas; Fraser, Wm.; Frickle, George; Frost, Edmond.

G.—Gardner, Jacob; Gearlock, corpl.; Geroldeman, Jas.; Gilchrist, Peter; Gordineer, Jacob; Grant, Henry; Green, John.

H.—Hagerman, Tunis; Hartman, David; Hartman, Philip; Hawley, Davis,; Hawley, Mrs. Jeptha; Hawley, Martin; Hawley, Schabad; Hess, Jacob; Hicks, Luis; Howle, John; Huff, Asa; Huffman, David; Huffman, Joseph.

J.—Jackson, David; Jackson, James; Jackson, Thomas; Jacobs, John; James, Daniel; Johnson, James.

Mc.—McDougal, John; McDougal, Peter; McGrier, Lieut.; McGrier, Widow; McKenzie, Colin; McKine, James; McKinney, John; McPherson, John; McPherson. Peter.

M.—Miller, Andrew; Miller, Mrs. Jacob.

N.—Nausen, George S.; Nicholson, Archd..

O.—O'Neil, Widow.

P.—Parrot, Lieut.; Perry, Capt.; Perry, John; Perry, William; Porter, Timothy; Pulman, Cornet.

R.—Rayment, Widow; Robins, Lieut.; Robins, William; Rogers, William; Rose, Daniel; Rose, Mathias, senr.; Rose, Mathias, junr.

S.—Snibiay, Capt.; Schrawder, Magnes; Scoope, Stephen; Scout, John; Sharp, Cornelius; Sharp, John; Sharp, Lieut.; Shibley, Henry; Shorey, David; Simmons, Daniel; Simmons, Henry; Simmons, John; Simmons, Lieut.; Simmons, Moses; Simmons, Nicholas; Simmons, Widow; Snider, Abm.; Snider, Isaac; Snider, John; Snider, Mark; Snider, Peter; Snider, Simon; Snider, Tobias; Snider, Zachariah; Soles, Timothy; Stiles, Silas; Stomes, Gilbert; Storms, Jeremiah; Stover, Martin; Switzer, Corpl.

T.—Taylor, Sergt.; Thirly, Corpl.; Thomas, Peter; Turner, Richd.

V.—Vanderhyder, Adam; Vaut, Adam.

W.—Walker, Daniel; Waring, Fred; Warrack, James; Washburn, Sergt.; Wiest, John; Williams, Armstrong; Williams, John; Williams, Nathl; Williams, Robert; Williams, Sergt.

The number of souls: Men, 147; women, 68; children, 198; servants, 3. Total, 416. Acres cleared, 146½.

Return of Disbanded Troops and Loyalists Settled in Township No. 2.

(*Canadian Archives Series. B. Vol.* 168, *page* 101.)

A.—Algire, Martin; Anderson, Cyrus; Anderson, Ebenezar, Ensign; Anderson, Elisha; Anderson, George; Anderson, James; Anderson, Joseph, Lieut.; Anderson, Saml., Capt.; Anderson, Thos. G.; Annible, John; Arkison, Charles; Asten, Widow.

B.—Backer Wm.; Backor Conrad; Barnheart, George; Bouck, Fred; Bough Frederick; Bready, Luke; Bruse, Alexander; Buck, George; Bulson, Cornelius; Bunson, Henry; Butterworth, Daniel.

C.—Cammeron, Alexander,, (2 entries); Cameron, Daniel; Cameron, Donald; Cameron, Hugh; Cameron, John; Carr, Wm.; Cassleman, Richard; Cassleman, Wm.; Christie, George; Christie, John; Claus, Wm., Lieut.; Cline, Michael; Conolly, John, Ensign; Cook, John, sen.; Cook, John, jun.; Cooper, Thomas; Cramer, Peter; Crammer, John; Credeman, Widow; Creyst, George; Croyderman, Hermanus; Croyderman Joseph; Cumming, Wm.

D.—Daly, Patrick; Daughady, Samuel; Dewild, Garret; Dewitt, John; Dixon, John.

E.—Eastman, Benjamin; Emer, Peter; Emer, Philip; Empy Jacob; Empy Philip, (2 entries), Empy, Stophel; Empy, Wm.; Estman, Nadab: Evaghousen, Hendrick.

F.—Failing, John; Ferguson, William; Fitzpatrick, Patrick; Forsithe, James; Fraser, Donald; Fraser, Wm. (2 entries); Freeze, Jacob; French, Albert; French, Benjamin: French, Jeremiah, Lieut.

G.—Gallenger, Christ.; Giskinn, Charles: Gollinger, George; Gollinger, Hendrick; Gollinger, Michael, sen.; Gollinger, Michael, jun.; Goose, Frederick; Grant, Alex. (2 entries); Gunn, David.

H.—Haley, George: Hallingbrant, Jacob; Hanley, Joseph; Heart, Bernet; Helmer, John P.; Hertle, Adam; Hertle, Hendrick; Hertle, John; Hewelin, Mathew; Howan, Hendrick; Howard, John; Howen, Herman.

J.—Johnson, George; Johnson, James.

K.—Keysor, John; Keysor, Michael; King, Patrick: Knase, Adam; Knave, John.

L.—Lantwire, Jacob; Leger, Slatts; Leolt, Archibald; Linch, James; Loney, John; Lynch, John; Lynk, Mathias.

Mc.—McClaughedy, James; McCorme, David: McCoy, John; McDonell, Alex, (3 entries); McDonell, Angus, (3 entries); McDonell, Archibald; McDonell, Donald, (2 entries); McDonell, Duncan, (3 entries); McDonell, John, (6 entries); McDonell, Ranald; McDonell, T.? McGregor, Donald: McGregor, James; McGuire, Patrick; McIntosh, John; McLaughlin, Wm.; McLeod, Donald; McMullen, Donald; McNoon, John; McPhill, Allan.

M.—March, Abraham: Markly, Henry; Mattice, Abraham; Mattice, John; Mattice, Nicholas; Mattice, Wm.; Maxwell, John; Meddough, John; Miller, Samuel; Milroy, John; Mitchell, George; Mittross, Andrew; Moss, Samuel.

N.—Nichold, James; Noble, William.

P.—Pack, Calip; Patterson, Conrad; Perck, Nathan; Perck, Robert; Perry, Edward; Pescord, John; Pfandt, Frederick; Plantz, John; Porter, George; Potter, William; Priller, John: Printer, Daniel; Prosser, Richard.

Q.—Quenn, John; Quinn, Michael.

R.—Rennbourg, Jacob; Reynolds, Benj.; Reynolds, Wm.; Robinson, Daniel; Robinson, David; Rockwell, John; Ross, Jacob; Roys, Evan; Ruport, Francis; Ruport, Peter.

S.—Scanlin, John; Settimsar, Mick; Shaver, John; Shecke, Christian; Sheets, George; Sheets, Jacob; Sheets, Wm.; Singer, John H. sen.; Singer, John H. jun.; Smith, John; Spencer, Barney; Strafford, Conrad; Stewart, John; Stoneburner, Jacob, sen.; Stoneburner, Jacob, jun.; Stoneburner, John; Stoneburner, Joseph; Stoneburner, Lenard; Summers, Jacob; Sutton, Samuel; Switzenger, Mathias.

T.—Thunple, Charles.

V.—Vernor, Michael.

W.—Waggoner, Jacob; Wanamacker, Jacob; Willoughby, William; Winter, Henry; Winzell, Adam; Wood, Benjamin; Wood, James, sen.; Wood, John; Wood, Jones; Wood, William: Wright, Assel; Wright, Ebenezer.

The number of souls: men, 215; women, 87; children, 214; servant, 1. Total, 517. Acres cleared, 101½.

(The number of souls given in the return as the total, is 489, with a note that those not present (apparently 28), are certified for. The number here given is correct by the return.)

RETURN OF DISBANDED TROOPS AND LOYALISTS SETTLED IN TOWNSHIP NO. 3. MUSTERED THIS DAY, 25TH SEPTEMBER, 1784.

(*Canadian Archives Series*, B. *Vol.* 168 *page*, 61.)

C.—Coltman, John; Crap, Nicholas; Crosby, Nathan; Crowder, James; Cuntreman, Jacob.

D.—Davon, Conrad; Denny, Jacob; Downey, Nicholas.
E.—Emaud, Jacob; Empy, Adam; Empy, John.
F.—Fikes, Daniel; Foster, John; Frimyer, Nicholas; Frimyer, Philip.
G.—Gardner, John; Gibson, Andrew; Gibson, Mathew.
H.—Hoppole, Henry; Hoppole, John.
J.—Jacocks, David.
L.—Loucks, Joseph; Loucks, Peter.
Mc.—McDonald, Capt.; McDonell, John, Capt.; McDonell, John; McDonell, Miles, Lieut.; McKee, John.
M.—Morden, James; Mording, Daniel; Mott, Joseph; Mullan, John; Murray, George.
N.—Neddock, John.
P.—Paddock, John; Paups, Adolphus.
R.—Rice, Even.
S.—Secrecy, Richard; Shaver, Marcus; Sheets, Jacob; Snider, Jeremiah; Stewart, George; Stewart, Gilbert; Stewart, Henry; Stottie, Philip; Stuart, James.
T.—Tallaback, Balls; Tuttle, Solomon.
W.—Wort, Conrad; Wort, John.
The number of souls: Men, 50; women, 7; children, 14; servants, 4. Total, 75. Acres cleared, 30.

RETURN OF DISBANDED TROOPS AND LOYALISTS SETTLED IN TOWNSHIP NO. 3. CATARAQUI. MUSTERED THIS 6 OCTOBER 1784.

(*Canadian Archives Series*, B. *Vol.* 168, *page* 71.)

A.—Alstyne, Isaac; Anthony, Richard.
B.—Barker, Abraham; Barthlay, Isaac; Barthlay, Michael; Behn, James; Behn, John, sen.; Behn, John, jun.; Bell, Danl.; Bell, Wm., Sergt.-Maj.; Berrey, Wm.; Beyder, Lawrence; Bills —,; Birch, Jacob; Blaker, John; Bliss, John; Bogart, Francis, V. D.; Bowen, Adam; Bowen, Peter; Bowen, Wm., sen.; Bowen, Wm., jun.; Bradshaw, Ashel; Bradshaw, James, Lieut.; Bradshaw, James; Broods, Anne; Brownson, Samuel; Brust, Jacob; Brust, Sergt.; Butler, John; Butler, Phillip.
C.—Cadman, Wm.; Calder, Fred.; Calder, Wm.; Campbell, Angus; Campbell, Archibald; Carr, John, V. D.; Carr, Ralph, V. D.; Cascallion, James; Cascallion, E. Lieut.; Casscallion, George; Caswell, Samuel; Caswell, Stephen; Christie, Simon; Chrystie, Corpl.; Church, John Mills; Church, O.; Churchy, Oliver; Clark, Adam; Clark, Sergt.; Cooms, Jacob; Corbman, Sergt.; Cornelus, John; Coscellion, Luke; Coscellion, John; Cotter, Sergt.; Crawford, Wm. Rd. Capt.; Crawford, Wm.
D.—Dafoe, Abraham; Defoe, John; Deforest, M.; Derheyden, David; Detler, Isaac; Detler, John; Detler, Peter; Dickman, M.; Dies, John; Dies, Mathew; Dimond, Jacob; Dimond, John, sen.; Dimond, John, jun.; Dingman, G.; Doughstrader, C.; Dunncan, Florence.
E.—Emburry, David; Emburry, John; Emburry, Sergt.; Evans, Bolton.
F.—Fairchild, Corp'l.; Fairman, Joseph; Farkle, G.; Farrington, Saml.; Fayer, Mrs.; Ferguson, Andrew; Ferguson, Asley R.; Ferguson, Farrington; Ferguson, Israel, Lieut.; Ferguson, Jacob; Ferguson, Mr.; Ferguson, Richd., jun.; Ferguson, Rozel; Fily, John; Fitchet, —; Forrest, Math. W.; Foster, Moses; Fraser, Wm., Adjt.; Fraser, Wm.; Fykes, Peter.
G.—Gardner, John; Grandison, Herman; Grant, John; Green, B.; Grein, Roger; Gummersall, Thos.
H.—Hain, John; Harnes, Gilbert; Harnes, Johnson; Harnes, Josiah; Harris, David; Harris, Gilbert; Harris, Thomas, sen.; Harris, Thomas, jun.; Hedlast, Adam; Herring, Andrew; Hoffman, John; Hoffman, Phillip; Hougle, George;

Howard, Edwardd; Howard, John, Lieut.; Howard, Thomas; Howell, Serjt.-Maj.; Howell, Warner; Howse, Court (or Cornet); Hoyle, Serjt; Huff, Bruin; Hurd, Corp'l.

J.—Jones, Daniel; Jones, Solomon.

K.—Keller, Charles; Keller, John; Kemp, James; Kemp, John; Kemp, John, jun.; Kempton, Thomas; Kentner, George; Kerr, Surgeon; Koughrott, John; Koughrott, Sergt.; Koughrott, Wm.; Krankmet, John; Krumerby, Andrew.

L.—Lambert, Hard.; Lansingh, Lieut.; Larraway, Isaac; Larraway, Jonas; Larraway, Peter; Larraway, Wm.; Lauks, George; Lauks, Henry; Lauks, J.; Laws, Saml.; Lawyer, Wm.; Leavings, Jedediah; Lloyd, Danl.; Lloyd, Richd.; Louk, Abm.; Loyst, Henry; Lucas, Amor; Lucas, Daniel; Lucky, Samuel.

Mc.—McArthur, Chas.; McArthur, John; McCoye, Squire; McDonell, Jas.; McGinn, ——; McGown, Stephen; McGrah, Owen; McKay, James; McKay, William; McKenzie, Alex.; McMahon, John; McMallen, Danl.; McPherson, Corp'l.; McPherson, Kenneth; McTagart, Corp'l.

M.—Markland——; Marsh, Joseph; Mathews, Pompey; Miller, Corn; Miller, Elijah; Miller, Gilbert; Miller, Jonathan; Mills, John; Mitts, Henry; Moore, Jon.; Morden, John; Murdoff, George; Murdoff, Saml.; Murdoff, Sergt.

N.—Nehl, John; Nichol, Robert; Nicholson, Wm.; Nutts, John.

P.—Park, James; Park, Mathew; Parks, C.; Patterson, George; Pattman, Cornelius; Pember, Phillip; Pencil, John; Pettingell, Corp'l.; Pettingell, Saml.; Phillips, Almond; Phillips, Elisha; Phillips, Seth; Phillips, Zeba; Pickle, John; Plass, Henry; Powley, Jacob; Pringle, Doctor; Pringle, Joel, sen.; Pringle, Joel, jun.; Pringle, Jos.; Pringle, Timothy; Pringle, Wm;

R.—Ramborough, Wm.; Rambough, Ames; Ramsay, Adam; Ranches, John; Redford, Thomas; Reid, Michael; Richardson, Ara; Richie, M.r; Rickley, Andrew; Robertson, Sergt.; Rogers, David M. G.; Rogers, James Major; Rogers, James; Rote, George; Ruiter, Henry, Capt.; Rush, Andrew.

S.—Schamarahon, Wm.; Serambling, Danl.; Shaw, Wm.; Shillup, Henry; Shoeman——; Sills, C.; Sills, George; Sills, John; Sills, Laurence; Simpson, Robt.; Singleton, G.; Smith, Danl.; Smith, George; Smith, Henry; Smith, Jacob; Smith, John; Smith, Michael; Smith, Philip; Smith, William; Snyder, Luke; Spencer, Augustus; Spencer, Benj.; Spencer, H.; Spencer, Joseph; Spencer, Peleg; Spencer, Thomas; Sterns, Danl.; Sterns, Nathan; Stuly, Tobias; Sutton, Jane; Swarts, Fred.; Swattager, Fred.; Swieman, Henry.

T.—Thomas, York; Thompson, Archd.; Thompson, Thomas; Thompson, Wm.; Tyler, Jared.

V.—Vatlestine, Jonas; Voss, Zenor.

W.—Walradt, Jacob; Warner, John; Warner, Levi, senr.; Warner, Levi, junr.; Weager, Everhart; Weager, John; Weager, Sergt.; Weast, John, senr.; Weast, John, junr.; Weimer, R.; Welsh, Saml.; Williams, Albert; Woodcock, John; Woodcock, Mr.

Y.—Young, Daniel; Young, H.; Young, Peter; Young, Stephen.

The number of souls: Men, 296; women, 85; children, 177; servants, 22—Total, 580.

Return of Disbanded Troops and Loyalists settled in Township No. 4, Cataraqui, Mustered this 5th October, 1784.

(Canadian Archives, Series B., Vol. 168, page 68.)

A.—Allen, Joseph.

B.—Baker, John; Baker, John, jun.; Bangor, Courand; Benson, Albert; Benson, Garret; Benson, Matthew; Bogart, Abraham; Bogart, Gilbert; Bremner, Peter.

C.—Cammell, Alex.; Cammell, John Low; Carnahan, Joseph; Clark, Wm.; Clouch, Benjm. N.; Cole, Barrant; Cole, Daniel; Cole, Simon; Cornell, Albert; Crysdales, John.

D.—Deane, Moses; Dean, Samuel; Dear, John; Demarest, David; Dorland, Philip; Dorland, Thomas; Driskle, Cornelius; Duser, Casper V.; Duser, Conrad V.; Dulyea, A Peter; Dulyea, A. Peter, jun.; Dyer, John.

E.—Ellison, Joseph.

F.—Feron, Andrew; Fitzgerald, John; Flister, Andrew.

G.—German, Christ.; German, Christ., junr.; German, Jacob; German, John, sen.; German John, jun.

H.—Hagerman, Nicholas; Hartman, John; Hesfer, Fred.; Hofnagle, Andrew; Hofnagle, Joseph; Horn, Corns. V.; Hover, Casper; Hover, Henry; Hover, Jacob; Huff, Paul; Huych, John.

J.—Jones, William.

L.—Lewis, Barrant.

Mc.—McMasters, James.

M.—Marbird, Michael; Maybe, Abraham; More, W.;

P.—Parsall, John; Patterson, Abraham; Patterson, Christ.; Patterson, Nicholas; Patterson, Paul.

R.—Roblin, Owen; Roblin, Philip; Rush, John; Rutler, George; Ruttan, Petit; Ruttan, Peter, jr.; Ruttan, W.; Ryckman, Edward; Ryckman, John; Ryckman, John, jr.; Ryckman, Tobias.

S.—Sharp, John; Smith, Richard; Staples, Ebenezer; Steel, Mathew.

T.—Trumpour, Paul; Tuffey, Samuel

V.—Vallon, Peter; Vanalstine, Major; Vandermodt, Michael; Vandervoort, Peter; Van Skiver, John; Van Skiver, Peter.

W.—Whilley, John.

Y.—Yenrex, Isaac; Yenrex, William.

The number of souls, men, 91; women, 44; children, 97; servants, 8. Total, 240. Acres cleared, 66.

Return of Disbanded Troops and Loyalists settled in Township No. 4. Mustered this 14th October, 1784.

(*Canadian Archives, series B., Vol.* 168, *page* 92.)

A.—Abril, Robert; Aker, Lodowick.

B.—Baker, Adam; Baker, Conrad; Barnhart, John; Bishop, John; Bouck, Adam; Bouck, Chris.; Bouck, Fred'k.; Boyce, Andrew; Bradshaw, John; Bunker, Bethuel.

C.—Campbell, Daniel; Cane, Henry; Cane, Peter; Cassleman, Rich'd; Cassleman, Thomas; Cassleman, Warner; Cassleman, Wm.; Castleman, Adam; Castleman, Conrad; Castleman, Henry; Castleman, S.; Chisholm, Alex.; Chrysler, John; Chrysler, Philip; Cook, Philip.

D.—Deberwine, Chris.; Duncan, Rich'd., Capt.; Dusler, Andrew; Dusler, William.

F.—Ferrand, Lieut.; Franks, Widow; Franks, Wm.; Frederick, Barnard; Frederick, Lodowick; Froles, Henry.

G.—Garlow, Jacob; Garlow, Peter; Grant, John; Guay, Major; Guay, Edward.

H.—Hanes, Christopher; Hanes, Jacob; Haynes, Michael; Helmer, John; Hickey, John; Hopper, Abn.

J.—Jacobus, James.

K.—Kilman, John; Kilman, Philip; Knight, James.

L.—Livius, John; Loucks, George.

Mc.—McBean, Gillis; McCue, James; McDonald, F.; McDonald, John; McIntire, John; McKachey, John; McLean, Severins; McMartin, Malcolm; McMullen, Michael.

M.—Mandeville, Richard; Mandroilk, Rich'd; Marde, Widow; Mareli, Jacob; Markby, John; Marneo, Henry; Masselis, John.

O.—O'Hara, Widow.

P.—Putman, Ephrm.

R.—Reddick, Chris; Reilly, David; Rose, James; Ross, Alex.

S.—Seron, Stofel; Shaver, John; Shell, John; Smith, Hugh; Snyder, Adam; Snyder, Conrad; Stanford, Wm.

T.—Thompson, John; Twohey, John.

U.—Ulman, Francis; Utman, Henry.

W.—Waller, Philip; Wart, George; Weaver, Fred'k.; Weaver, John; Wood, Abijah.

V.—Valentine, James; Vanalstine, L.; Vanalstine, Lydia.

The number of souls:—Men, 93; women, 33; children, 76; servant, 1. Total, 203. Acres cleared, 101¾.

RETURN OF THE DISBANDED TROOPS AND LOYALISTS SETTLED IN TOWNSHIP No. 5. MUSTERED THE 13TH OF OCTOBER, 1784.

(*Canadian Archives, series B, Vol.* 168, *page* 88.)

A.—Armstrong, John; Ault, Everet; Ault, Michael; Ault, Nicholas.

B.—Baker, Adam; Baker, Henry; Baxter, Wm.; Benedict, John; Beverley, David; Boan, Luke; Boice, John; Brows, Peter.

C.—Cains, Mathew; Cairns, Jacob; Carman, Michael; Centner, George; Collison, John; Coons, Conrad; Coons, Gasper; Coons, Jacob; Coons, John, Cotain, Wm.; Courteney, Dennis; Crows, Peter.

D.—Davis, Richard; Dingman, Richard; Dorine, David; Dorine, S.; Dorine, Said.

E.—Esling, Frank; Esling, Garrat; Esling, John.

F.—Foster, Edward; Frederick, Burnard; Frederick, Lodwick.

G.—Glassford, John; Glassford, Robert.

J.—Johnston, George.

K.—Knight, Benjamin.

L.—Lake, Thomas.

Mc.—McArthur, John; McCarty, Ensign; McCarty, Florence; McCormick, Wm.; McDonald, C. L. Allan; McDonald, Randall; McDonald, Ronald, Ensign.

M.—Maddock, S.; Miller, Thomas; Mine, George; Munro, David.

P.—Palmer, John.

R.—Russell, Wm.

S.—Sevar, John; Shevar, Adam; Shevar, Jacob; Shevar, John; Shevar, Philip; Shyers, Jacob; Sterry, Martin; Stooks, Edward; Street, Samuel; Strader, Henry; Strader, John; Strader, Simon.

T.—Teddan, Luke.

V.—Vanalstine, Jacob; Vancamp, James; Vancamp, Janet; Vancamp, John.

W.—Waggoner, Henry; Wallas, John; Walter, Martin; Whitner, Henry.

The number of souls: Men, 75; women, 33; children, 64; servants, 5. Total 177. Acres cleared, 56½.

RETURN OF DISBANDED TROOPS AND LOYALISTS SETTLED IN TOWNSHIP No. 6. MUSTERED THIS 13TH DAY OF OCTOBER, 1784.

(*Canadian Archives, series B., Vol.* 168, *page* 90.)

A.—Adams, G., Lieut.; Adams, James; Adams, Joel; Anderson, Henry; Armstrong, Thomas.

B.—Bolton, Abraham; Bolton, George; Bonesill, Jacob; Boyde, Thomas; Bush, John.

C.—Cameron, D.; Curry, Ephrem; Curry, James.

D.—Dayel, Charles; Drummond, P., Capt.; Dulmage, Philip; Dulmage, T., Lieut.

F.—Ferris, Wm.; Fraser, F., Capt.; Fraser, John; Fraser, Thos., 1st; Fraser, Thomas, 2nd; Fraser, W., Capt.; Fraser, Wm., 1st; Fraser, Wm., 2nd; Fraser, Wm., 3rd; Froom, James; Froom, James, jun.

G.—Gooseberry, Thomas.

H.—Humphrey, James; Hunter, David.

J.—Jackson, Henry.

K.—Kilbreth John.

L.—Lamson, Wm., Ensign; Lester, Thos.; Lukes, Nicholas.

Mc.—McAlpine, Duncan; McIlmoyle, Hugh; McIntosh, Alex.; McIntosh, Duncan; McKenzie, John; McKinley, Wm.; McLean, Arch.; McNight, Thomas.

M.—Moore, H.; Moore, J.; Munro, Hugh, Capt.

N.—Nix, John.

R.—Robertson, Joseph; Rudderbank, John.

S.—Saunders, Abraham; Saunders, Henry; Saunders, Wm., sen.; Saunders, Wm., jun.; Sillick, Daly; Smith, John; Snyder, Wm.; Sorrells, John; Steers, George.

T.—Thompson, John.

W.—Weatherhead, Samuel; Weycoff, John; Whilley, John; White, Samuel; White, Wm.; Wormley, Jacob.

The number of souls: Men, 68; women, 29; children, 58; servants, 11. Total, 166. Acres cleared, 122.

Return of Disbanded Troops and Loyalists Settled in Township No. 7. Mustered this 12th October, 1784.

(*Canadian Archives, Series B., Vol.* 168, *page* 85.)

A.—Andrews, Wm.; Armstrong, Edward; Avery, Jos.

B.—Barnard, Alex.; Bateman, Samuel; Beech, Heirs of Corporal; Bernet, Stephen; Bottom, Ensign Elijah; Bowker, John; Bradford, John; Brooks, Widow; Brown, Nathan; Brown, Thomas; Brown, Widow; Bryan, Rev. John.

C.—Campbell, Alex., Lieut.; Campbell, James Ensign; Carley, Elijah; Carrier, John; Closson, Caleb; Clunay, James; Corbin, Nathaniel.

D.—Dawson, John; Dibble, Asa; Dulmage, John, Lieut.; Dunham, Daniel.

E.—Elveston, Edward.

F.—Faulkner, John; Fridenberg, Isaac; Fuller, Andrew.

G.—Grant, Daniel.

H.—Hanbury, Wm.; Hard, James; Hard, Philo; Hawley, Abijah; Haynes, Godfrey; Hogadon, Peter; Hougletail, Isaac.

J.—Jessup, E., Major; Jessup, Edward, Lieut.; Jones, David, Lieut.; Jones, Ephrem; Jones, John, Capt.; Jones, Thomas.

K.—Kenyon, Charles; Kilbourn, Charles; Knap, Jos.

L.—Landing, A.; Landing, Asa; Landing, Herman; Leakys, Wm., Jr.; Loup Jos.; Loux, John; Loux, Nicholas; Lowrey, Joshua.

Mc.—McCabron, Daniel; McDonald, Allen; McNien, Jos.

M.—Mallory, Elisha; Mallory, Enoch; Mallory, Jeremiah; Mother, Nicholas; Mether, Lewis; Mott, Henry.

N.—Nicholson, Robert.

P.—Pitman, C.

R.—Racoul, Nicholas.

S.—Seeley, Joseph; Seeley, Justis; Shagnesay, Widow; Sherwood, Capt. J.; Sherwood, Samuel; Smith, Benoni; Smith, Daniel; Smith, John; Sparkman, Thos.; Spicer, Daniel; Spicer, Ezekiel, Sr.; Spicer, Ezekiel, Jr.; Spicer, Whelham; Sweet, Oliver.

T.—Trevoix, Asa.

V.—Valentine, Herman.

W.—Wall, Michael; Watson, Major; Wheeler, Ephrem; Wicken, Jonathan; Wiltsay, Benoni; Wiltsee, James; Wiltsey, Benoni, Sergt.

The number of souls: Men, 82; women, 42; children, 92; servants, 12. Total, 228. Acres cleared, 124.

RETURN OF DISBANDED TROOPS AND LOYALISTS, SETTLED IN TOWNSHIP NO. 8. MUSTERED 12TH OCTOBER, 1784.

(*Canadian Archives, Series B. Vol.* 168, *page* 84.)

A.—Alkenbeack, John; Allan, Theodosius; Allan, Western.

B.—Barten, Thomas; Benwell, Bentley; Benwell, E. Wm.; Butler, Trewlove.

C.—Cane, John; Clark, Thomas; Clough, Wm.; Cole, Adam; Cross, John; Cross, Henry.

D.—Dunproof, Frederick.

E.—Earheart, John; Early, Barth.; Elliot, John; Elliot, Thomas.

F.—Fulford, John; Ferguson, John.

G.—Graham, Oliver; Gray, John; Gray, James; Grant, Allen; Griffin, Joseph.

K.—Kenny, Amos; Kine, Constant.

L.—Leaky, Wm.; Leonard, Chris.

Mc.—Maclean, Alex.; Maclean, Robt.; McKew, Wm.

M.—Manhard, David; Mitchell, David; Mitchell, John; Mott, Rubin.

P.—Paterson, Conrad.

S.—Sherwood, C. Thos.; Sherwood, Reubin.

T.—Tenter, Chris.; Thelmy, James; Thompson, Jacob.

W.—Weaterwak, Wm.; White, Joseph; Wolfe, Lodwick; Wright, Samuel

The number of souls: Men, 51; women, 27; children 104; servants, 3. Total, 185. Acres cleared, 39½.

RETURN OF THE DISBANDED TROOPS AND LOYALISTS, SETTLED IN TOWNSHIP NO. 5. BAY OF QUINTÉ, 4TH OCTOBER, 1784.

(*Canadian Archives, Series, B., Vol.* 168, *page* 63.)

A.—Aldrich, John; Anderson, Alex.; Anderson, John; Andrew, William; Asslin, James.

B.—Badderly, Micht.; Batley, Wm.; Bedford, Edward; Bibby, Richard; Bird, Henry; Bird, Jonathan; Blanchard, Wm.; Bode, Christ; Boucher, Wm.; Bradley, Wm.; Brathburn, Francis; Breda, Fred.; Bridge, Wm.; Brien, John; Brücken, Henry; Burns, Peter.

C.—Campbell, Ric[illegible]; Carney, Alex.; Carson, William; Chavery, James; Clancey, Michael; Clarke, James; Clarke, Peter; Cloudy, Henry; Collier, Peter; Cormick, John; Cramner, Fred.; Crane, Elisha; Cranshaw, Moses; Cummings, Wm.; Cummings, John.

D.—Davis, Henry; Dick, John; Dixon, Frank; Downey, Cornelius.

E.—Edwards, James; Eligell, Gasper; Ellis, Andrew.

F.—Farring[illegible]on, Samuel; Fearman, William; Fetchard, Richard; Finlison, James; Fisher, Fred.; Forreigner, John; Fryman, Tusand.

G.—Gallagher, Hugh; Ganpey, Fred.; George, John; Grant, Donald; Grant, James; Grant, Thomas.

H.—[illegible]melman, John; Hancock, John; Harkiman, Mathew; Harrington, Cornelius; Harrison, Thomas; Harrison, William; Hauseman, Lodwick; Heaphy, Barnum; Heeking, Benjn.; Hesse, Andrew; Hicks, James; Hicks, Joseph; Hindides, Christ; Hoford, John; Hogan, David; House, Andrew; Hudson, George; Huggins, Samuel; Hughes, Reubin; Husley, John; Hutenburg, Christopher.

J.—Johnson, John.

K.—Kelly, Patrick.

L.—Lodwick, Fred; Loyd, Thomas; Lundergan, Cornelius.

Mc.—McCaffrey, Dennis; McCarger, Joseph; McCarthy, James; McCarthy, Michl; McCarty, James; McCrimmon, Donald; McDonald, Alex; McDonald, Archd. Lieut.; McDonald, Donald; McDonald, Ferman; McDonald, John; McDuff, Charles; McGowen, Thos.; McIntosh, Donald; McIntosh Lachn.; McKay, John; McKenzie, Wm.; McMasters, James.

M.—March, Thomas; Margueson, Thomas; Marks, Christ.; Midleton, Robert; Miller, Conrade; Miller, John; Mills, John; Moody, Jonathn.; Moore, John; Mulcoy, James.

N.—Nobling, James; North, Boods; Nullecar, Conrad.

O.—Osleger, Henry.

P.—Pilchard, Steph.; Pierce, Patrick; Piper, Fredk.; Pathen, Robt.; Powis, Edward; Pupen, Gustus.

R.—Roberts, Thomas; Ross, Collin; Ross, Wm.; Ross, Walter.

S.—Saunders, Henry; Shaffer, Fred; Sherrington, Fran.; Sheltes, Andrew; Shoults, Peter; Signs, John; Simpson, Israel; Sincoat, Christ.; Smith, Henry; Smith, Peter; Stains, Jacob; Stewart, John; Storam, Jeremh.; Summerman, Henry; Sutherland, John; Swanig, Hugh.

T.—Taylor, John; Thegier, Mathw.

V.—Vagley, John; Viger, Casper.

W.—Wallop, John; Wilders, Danl.; Willdney, Will.; Wilson, John; Wright, Daniel; Wright, James; Wright, Joseph.

The number of souls: Men, 153; women, 29; children, 67; servants, 2. Total 251. Acres cleared 33.

Return of Disbanded Men from the German Troops, Settled in Township No. 5. Bay of Quinte. Quebec, October 4th, 1784.

(*Canadian Archives, Series B., Vol.* 168, *page* 67.)

A.—Abraham, David.

B.—Benther, John; Bonnan, Seigman.

C.—Clapsod, Ernest; Claus, Gaspard.

D.—Daudorf, John; Desider, Martin.

E.—Enzelhart, Bernhard.

F.—Fride, Eberhart.

G.—Gerbig, William; Greenwats, John.

H.—Hailman, Peter; Heh, Gottfr; Heineman, Henry; Homermar, Henry.

K.—Keller, Philip; König, John.

L.—Lotz John

M.—Manck, Gottlieb; Melsch, James; Meremel, John; Minicke, Fred; Moeller, Andrew.

N.—Nichwald, Fred.

R.—Reitzenstein, Baron de.

S.—Saupe, Gottlieb; Schueltes, Nicholas; Sonnerthat, Christopher.

V.—Venert, James.

The number of souls: Men, 29; women, 7; children, 9; servants, 3. Total, 48. Acres cleared, 7.

Return of Disbanded Troops and Loyalists, Settled on the Seigniory at Sorel. Mustered the 12th day of September, 1784.

(*Canadian Archives, Series B., Vol.* 168, *page* 44.)

A.—Ansurm, John H.; Armstrong, Jesse.

B.—Beatty, David; Bilby, Michael; Blass, Peter; Brooks, widow; Brown, Jesse; Brown, widow; Bryan, John; Buck, Daniel; Buck, Samuel; Buckley, Matthew; Bull, Aron; Bush, Julius.

C.—Cameron, Dougal; Campbell, George; Castle, David; Claw, John; Closier, Widow; Clows, Nicholas; Cole, John; Cook, Philip; Cook, Philip, junr.; Cramer, Peter.

D.—Dawson, John; Dellenbach, Henry; Dies, Jacob G.; Dobbs, Michael; Dorgee, Samuel; Doty, Rev. John; Driver, John.

E.—Elsworth, Joseph.

F.—Fielding, Chas.; Foedle, George; Forrester, Andrew; Freeman, Thomas; French, Graham; Friot, Isaac.

G.—Galloway, Benjamin; Gillis, John; Gray, John; Greers, Jos.

H.—Hall, John; Hamlin, Silas; Hare, George; Harris, Richard; Hawley, Reuben; Heleaker, Abraham; Heleaker, Jeremiah; Heleaker, John; Hogland, Henry; Hogle, M. Francis; Holmes, Elias; Howe, Amasiah.

J.—Jessup, Joseph; Jessup's, Major, family; Jones, John, Barrack Master.

K.—Kenney, John; Klenk, John.

L.—Lightheart, Daniel.

Mc.—McKenzie, Alex.; McNeil, Alex.; McPherson, Widow.

M.—Myers, Felix; Miller, Grant.

N.—Nerthorp, Azor; Nerthorp, Elihu; Nugent, Patrick.

O.—Outerhart, Ezkel.

P.—Paraderce, Agentine; Phelps, Jona; Poovis, John.

R.—Robintson, John; Rogers, David; Rogers, John; Rogers, Widow; Rogers, Wm.; Rose, Samuel; Rowe, George.

S.—Scott, Danl.; Scully, John; Sea, Herman; Sea, James; Sea, John; Sibert, Godfrey; Smith, Patrick; Stewart, Danl.; Sutherland, James; Sutherland, Joseph.

T.—Tenny, Simpson; Thorne, John; Trine, Cato; Tompkins, Israel.

U.—Upton, Wm.

V.—Vassell, Stafford.

W.—Walker, James; White, M. Alex.; Wilment, Anthony; Williams, Fred.; Wilson, John; Wilson, John, junr.

The number of souls: Men, 95; women, 70; children, 146; servants, 5; Total, 316. Rations per day, 277½.

RETURN OF DISBANDED TROOPS AND LOYALISTS, SETTLED UPON THE KING'S LANDS IN THE PROVINCE OF QUEBEC IN THE YEAR 1784.

(*Canadian Archives, Series B., Vol.* 168, *page* 100.)

Situations.	Men.	Women.	Children. Males.		Children. Females.		Servants.	Total.
On the seigniory of Sorel	95	70	51	28	35	32	5	316
At Lake Seul and Upper Seul: No. 1. Royal Township	145	87	76	43	66	39		456
No. 2. do	215	147	70	34	71	39	1	547
No. 3. do	50	17	5	2	5	2	4	75
No. 4. do	93	33	29	9	25	13		202
No. 5. do	75	33	23	10	15	16	5	177
No. 6. do	68	29	12	16	13	15	11	166
No. 7. do	82	42	20	26	17	29	12	228
No. 8. do	51	27	28	14	32	30		182
At Point Mullet	36	15	12	7	13	7		90
At La Chine	58	46	21	21	27	26	8	207
At Cataraqui: No. 1. do	93	42	27	16	28	9	5	220
No. 2. do	147	68	45	48	64	41	3	416
No. 3. do	296	85	41	34	57	45	12	580
No. 4. do	91	44	29	22	33	13	8	240
No. 5. do	29	7	3	5		4	3	48
In or about Montreal	152	132	84	62	81	66	40	617
do Chambly	13	14	16	9	6	8		66
do St. Johns	77	79	81	[illegible]	56	40	3	375
At the Bay of Chaleur, about								150
	1,866	947	673	415	646	471	130	5,628

Abstract from the Disbanded Troops and Loyalists in the several Quarters and Settlements.

(*Canadian Archives, Series B., Vol.* 168, *page* 111.)

	Quarters or Settlements.	Men.	Women.	Children. Male.		Children. Female.		Servants.	Total.	Rations per day.
Settlements Settlements and Townships below Cataraqui.	At Sorel	95	70	51	28	35	32	6	316	277½
	At St. Johns	77	79	81	39	56	40	3	375	334½
	At Chambly	13	14	16	9	6	8		66	55½
	At Montreal	152	132	84	62	81	66	40	617	537½
	At La Chine	58	46	21	21	27	27	8	257	184½
	Township No. 1	145	87	76	43	66	39		456	415
	do No. 2	215	87	70	34	71	39	1	489	452
	do No. 3	50	7	5	2	5	2	4	75	68
	do No. 4	93	33	29	9	25	13		202	191
	do No. 5	75	33	23	10	15	16	5	177	164
	do No. 6	68	29	12	16	15	15	11	166	136
	do No. 7	82	42	20	26	17	29	12	228	198½
	do No. 8	51	27	28	14	32	30		182	137
	Point Mullie	56	15	12	7	13	7		90	83
Settlements and Townships at and above Cataraqui.	Township No. 1	93	42	27	16	28	9	5	220	207½
	do No. 2	147	68	15	48	64	41	3	416	371½
	do No. 3	296	85	41	34	57	45	22	580	475
	do No. 4	91	44	29	22	33	13	8	240	210½
	do No. 5	153	29	11	21	12	23	2	251	221½
	Germans	29	7	3	5		1	3	48	45
	Total	1,999	976	684	466	658	494	133	5,401	4,764½

Return of Loyalists and Discharged Soldiers embarked on board the Provincial vessels, for Chaleur Bay, Quebec, 9th June, 1784.

(*Canadian Archives, Series B., Vol.* 168, *page* 30.)

IN THE BRIG ST. PETER.

B.—Bebie, Secord; Betts, Benj.; Browne, Abram; Burnson, James.

C.—Campbell, William; Cass, Elihue; Cass, Josiah; Cass, Josiah, junr.; Cass, Pomroy; Coult, George.

G.—Goodwillie, Jos.

J.—Jones, Thomas P.

L.—Lawson, John; Lean, John.

Mc.—McKenzie, Lawrence; McKillip, Alex.

M.—Monro, Donald; Monro, Hugh.

P.—Paterson, William; Pearson, Clais.

R.—Reed, Widow; Robinson, Duncan.

S.—Scott, John; Shane, Thomas; Sheeseman, Simeon.

The number of souls on board: Men, 24; women, 13; children, 49. Total, 86.

IN THE SNOW "LIBERTY."

A.—Astle, James.

B.—Billingsley, Richd.; Brookes, Thomas; Browne, Alex.; Busteed, William.

C.—Caldwell, Walter; Chappel, Hiram; Chatterton, Saml.; Coulter, Mr.

D.—Daly, Henry; Darcey, Mr.; Davis, James; Davis, Abel; Dobson, Mr.; Dunn, John

F.—Ferris, William; Fitzgerald, ——; Fleetwood, Anthony; Flowers, Robert; Fraser, Donald; Fraser, Mr.
G.—Garrett, William; Gibbons, Dennis.
H.—Harlow, William; Head, Mr.; Huffman, Conrad.
I.—Ivas, Isaac.
J.—Jaired, James.
K.—Kemp, William.
Mc.—McAdam, Willm.
P.—Price, Thomas; Pritchard, Capt.
R.—Ressle, John
S.—Satterly, Jos.; Simpson, Aron; Springfield, Michael; Stone, Mr.
T.—Thomas, Richard; Tyler, Lieut.
W.—Warder, Thomas; Warring, Mr.; Whitehing, John.
The number of souls on board: Men, 42; women, 13; children, 25. Total, 80.

IN THE BRIG "POLLY."

A.—Astles, James.
B.—Balster, Wm.; Bennet, William; Brookhoff, George; Brotherton, ——.
C.—Chisholm, John; Churchward, Widow.
D.—Daley, Michl.; Doran, Thomas M.
E.—Echell, Henry.
F.—Flanagin, Lachlan; Fullman, Sigismd.
G.—Gilchrist, John; Glass, Samuel; Grant, John.
H.—Harris, Mr.; Hindman, Samuel; Hobson, Benjn.
K.—Keys, John.
L.—Law, Captain; Lester, Thomas; Louison, Lewis.
Mc.—McCarthy, John; McMahan, William.
M.—Man, Isaac, & brother; Montross, Isaac.
N.—Norton, Mr.
P.—Parfey, John; Purcell, Edmond.
R.—Richardson, Thomas; Richie, John; Russell, Mr.
S.—Sprung, Mr.; Stafford, Michl.
T.—Thompson, Mr.; Trayner, Patrick; Tripe, Mrs.; Tuttle, Stephen.
The number of souls on board: Men, 37; women, 23; children, 58. Total, 118.

IN THE HOY "ST. JOHNS."

G.—Gibbs, Edw.
S.—Shaw, Mr.
W.—Waters, Mr.; Williams, Robert; Wilson, Edward.
The number of souls on board: Men, 5; women, 3; children, 2. Total, 10.

IN 4 WHALE BOATS.

B.—Bartley, John; Burns, James.
C.—Conner, Patrick; Coulter, William.
F.—Foster, David; Francis, Jerem^{h}.
H.—Hawley, Eli; Hulbert, Phillip; Hurley, John.
K.—Kelley, William; Keys, Alex^{r}.
Mc.—McLellan, Duncan; McLeod, ——; McNeven, James.
M.—Myers, ——
P.—Perry, Samuel, junr.
S.—Sampson, Aaron; Sampson, Theophilus; Spencer, Edward.
T.—Tripe, Robert
W.—Warring, Theod.
The number of souls on boards: Men, 21. Total, 21

RECAPITULATION.

PROVINCIAL VESSELS.

Brig St. Peter	86
Snow Liberty	80
Brig Polly	118
Hoy St. Johns	10
Whale Boats	21
Total	315

NUMBER OF FAMILIES FOR CAPE BRETON.

(*Canadian Archives, Series B., Vol.* 168, *page* 113.)

Quebec—Ion Jones	50	families.
Long Saut—Hugh Monro	25	do
do Soloman Jonas	15	do
States—Daniel Jones	45	do
Montreal—Alexander Campbell	60	do
do do for Robert Robertson.	50	do
States—Elias Smith	40	do
Quebe—Isaac Mann	50	do
Sorel—Peter Van Alstine	50	do
Chaleurs—Isaac Mann, junr., for Capt. Azariah Pritchard	40	do
do Isaac Mann, jr	40	do
do William Tyler	30	do
Cataraqui— do for Ensign Buell	20	do
Long Saut—John Jonas	40	do
Quebec—John Peters	50	do
Oswegatchie—David Jones	25	do
Total	630	families.

Which may be computed at 3,150 souls.

QUEBEC, 11th September, 1784.

LIST OF LOYALISTS' FAMILIES WHO WISH TO EMIGRATE TO THE ISLAND OF CAPE BRETON THIS FALL.

(*Canadian Archives, Series B., Vol.* 168, *page* 43.)

A—Ayers, Daniel.
B.—Bagley, Joseph; Bassett, Robert; Bennett, John.
C.—Campbell, Duncan.
E.—Eaton, John.
F.—Ferres, Lieut.
G.—Gillmore, Mr.
H.—Hand, John.
J.—Jones, Jonathan.
L.—Laroway, Richard; Lever, John.
Mc.—McKand, James.
M.—Melony, John.
P.—Peters, Andrew; Peters, John, senr.; Peters, John, junr.
T.—Tolbert, Mary.

V.—Vanbuskirk, Jacob; Vannass, John.
W.—Wood, James.
Number of souls: Men, 20; women, 11; children, 43. Total, 74.

No. 5.—JUSTUS SHERWOOD TO GENERAL HALDIMAND.

(*Canada Archives Series, B. Vol.* 169, *page* 5.)

QUEBEC, 23rd of Augt. 1783.

SIR,—In co[illegible] with your Excellency's commands to me, I have inclosed an extract of [illegible] part of my Journal to the Bay Chaleurs, which contained my observations of the situation, soil, climate and produce of the country: omitting my daily observations on other subjects, and many trifling occurrences which did not immediately respect the country. I am persuaded that was I to choose a place in Bay Chaleurs for myself, it would be Paspibiac, from the centre of the long sandy point, which is the rideing place for vessels, east to the little River Novel; and up this River, so far as to compleat any intended quantity of land, I mention the centre of the Sandy Point, because I do not think it right, that any grant should engross the whole of so valuable a place for curing fish, and it would be my ambition to promote the Publick [illegible], as well as my own interest, by going there, for these purposes, I pray, that [illegible] Excellency will be pleased to grant me a tract of Land extending so far up the little Novel, and north from the centre of Paspibiac point as your Excellency may judge meet.

I am with all due Respect
Your Excellency's most Humble
and most obedient servant
JUSTUS SHERWOOD.

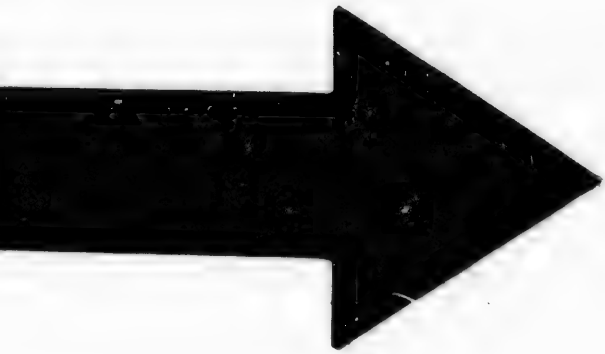
His Excelly
Genl. Haldimand.

EXTRACTS *from my Journal of my Voyage from Quebec to Gaspy, Bay Chaleurs, and Merimishi.*

May the 29th left Quebec in the Treasury Brig St. Peters, 7th of June arrived in Gaspy Bay, landed my family at Captain O'Haras where they were received with every mark of civility and politeness. Mr. O'Hara is a most worthy, sensible man, perfectly attached to Govt., and well dispos'd to serve the distressed Loyalists, he gave me every assistance in his power, to explore the country at Gaspy and Bay Chaleurs, to which last, he accompany'd me for the purpose of giving me every possible Information.

The country round Gaspy, Point Peters, Percey is in general a succession of mountains as far as the eye can extend, which by their naked barren appearance, present to one's view the very picture of indigence. There are however some exceptions for, on the north, and south arms of Gaspy Bay, there is a quantity of level land, light timbered and a good soil sufficient (I think if properly cultivated) for the sustenance of forty or fifty Family's on each arm.

On the river St. Johns which empty's into the Bay, about one league below Mr O'Hara's, is an equal quantity of land, and a very pleasant commodious place for about forty Inhabitants, those rivers abound with Salmon, as does the whole Bay with cod fish, eels, lobsters, &c. Point Peters is exceedingly well situated for the fishery and would admit of a considerable settlement for that purpose, but this land is not fit for cultivation. Percey is a very pleasant place, finely situated for the fishery, it is a point of about 200 acres of good level land, bounded in front by the sea, and in the rear by tremendous mountains, if this point was regularly divided into equal lots, it might form a very pretty town, of about 100 houses, with land sufficient for fishing grounds, gardens, &c. I spent but three days in viewing the above mentioned places.



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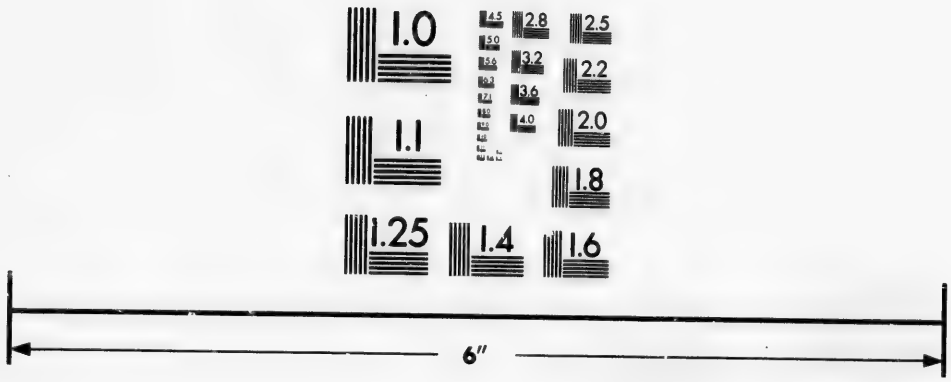

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16th we arrived at Paboc in the Bay Chaleurs, this is an exceedingly pleasant place, when one is in the Basin, or Harbour, but the entrance is narrow, and somewhat difficult for large vessels by reason of a rock in the centre, the land around the basin, except the south side, is very level for about a league back to the mountains, the timber is not heavy to clear, the soil is exceedingly good and natural for grass, rye, oats, barley, &c., but I think it is in general too low for wheat, there are two fine rivers puts into this bay, the one from N. W., and the other from the S. W., these are well stocked with Trouts and salmon and we found a number of good mill places, especially for saw mills, which will be the more valuable as the adjacent mountains afford a great plenty of good timber. But the prime value of this place (in my opinion) consists in its eligible situation for an extensive fishery and trade, for which it is the best adapted of any place I have been in the Gulph of St. Lawrence.

Port-Daniel is six leagues from Paboc West, this is a very bad harbour, or rather a roadstead closely surrounded by mountains. Paspébiac is six leagues West from Point Daniel, this is the best situation for fishing and trade, except Paboc, of any place I have seen. And the soil is much the best I have seen in the Gulph—it is naturally bounded on the East, by the river called Little Novel, and on the West by the river called little Paspébiac; these rivers are about three leagues asunder, and the land between them for near 2 leagues back is very level, and in general a tolerably good soil for wheat or any kind of English grain.

Bonaventure is 4 leagues West from Paspébiac, this is a good harbour and a pleasant level country for several miles back from the sea, it is well settled and appears at a distance like a populous town.

Kaskabijack is 6 leagues west from Bonaventure, here is a very good Roadstead for vessels of any Burden, the land is tollerable between the two Rivers called Great and Little Kaskabijack which are about 3 Leagues apart. These two Rivers afford a very profitable Salmon fishery, and tho' the face of the country is not so level, nor the soil in general quite so good for wheat as Paspébiac, yet I think the salmon fishery places it nearly on a footing with the latter for making a valuable settlement.

Tracadigash is 6 Leagues west from Kaskabijack, this is a good Harbor and is well situated for fishery, but the land is by no means favourable for the farmers.

Grand Novel at the mouth of Restigouche River, is the western extremity of the Bay Chaleurs and is 2 Leagues from Tracadgouch, it is a beautiful little Bason somewhat resembling Paboc, but the Harbour is only good for Boats and Shallops, here is a large body of good land, but the Restigouche Indians claim it, as they do all the meadows up the Restigouche rivers, which are the largest and finest that I know of in the world, and would if properly tended, afford many hundred thousand tons of good Hay.

Longuil River puts into the south side the Bay, just below the mouth of Restigouche, here is a large tract of good land equal to that on Grand Novel, but this is likewise claimed by the Restigouch Indians, the river abounds with Salmon. East, or down the Bay from Longuil, the land is wet and low for about one League and then the land is very good with Beech and Maple timber, which extends near two Leagues down the Bay below which I did not explore, on the south side I spent only eight days in viewing the Bay Chaleurs and then sett out to look at the Misco (Miscou) Islands and Merimichi; but before I enter on the description of that country, I must observe that, in my opinion, the climate in the Bay Chaleurs is more favourable, than on any part of the River St. Lawrence, below Sorrell, Wheat, Barley, Oats, Pease, Grass, &c., were forward, there and at Gaspy as I found them, on the South side the river opposite the Isle of Coudre, twenty days later, and I think that 1,500 familys might immediately settle to good advantage for themselves and Govt. at Paboc, Paspibiac, Bonaventure, Kaskibijack and Grand Novel, and that at least 200 might be well settled from Piercey to Gaspy, and I think in this number a sufficient part might be employed at farming to raise bread, butter and beef &c for the whole—at least in a very short time, they would doubtless require some other resource for three or four years untill they could get the land a little cleared, and themselves

provided with horses, cattle and farming tools &c., and I think it would be much to the benefit of Govt. to assist the first settlers and encourage agriculture, by providing those things, by which I am persuaded their country would in a little time become the most valuable part of His Majesty's present Dominion, in North America, but it is to be observed, that the settlement of this country never can flourish while under the monopoly of a few designing traders, who make it their study to discourage the cultivation of the lands, and to keep the poor inhabitants so much in debt as to oblidge them to spend the whole summer season in fishing to pay up their arrears, this is the case at present with the poor inhabitants of Bay Chaleurs, and I think the only reason why so fine a country is generally reported to be uninhabitable except, for a few poor fishermen.

Misco Isles are a cluster of small islands which form the Eastern and Southern extremity of the Bay Chaleurs and ly so near the main land as to form an excellent harbour, called Shippegan Bay. This situation is excellent for the fishery, they afford great numbers of natural meadows, and I think in many places the soil would produce good Barley, oats and Peas, but no other grain.

1st of July we entered the River Mirimishi in the Govt. of Nova Scotia, this is a very fine river, it is navigable for vessels of 100 tons, 45 miles up the river to the fork and as much farther for boats, it is perhaps the richest in fish of any river in America, it abounds in Salmon, Salmon Trout, Bass, Shad, Mackerell and Eels, and at its mouth with Oysters and a variety of shell fish, there is not a mountain to be seen for 50 miles up the river, the lands from the mouth to the forks are very beautiful, and at first view the soil appears to be good, but on digging into the ground it is generally found to be a bed of white sand for six or eight inches deep, and then a strong clay, which has not a tincture of marle, as in the Bay Chaleurs, above the forks the land is exceedingly good for all kinds of grain, and a sufficient quantity to settle at least 500 familys, but this like many other (otherways) very valluable places is monopolized by designing men, no less than 12,000 acres, including all the good land, and the most of the Salmon fishery is owned by two men, in one grant, of about 16 years standing, and in all this time they have not got 10 settlers on it, nor will they permit it to be settled, least the inhabitants should share with them the profits and blessing of the salmon fishery. I spent three days in exploring this country.

July 14th returned to Gaspy.

20th left Gaspy with my own family and Capt. O'Hara's eldest son and daughter.

12th of August arrived at Quebec 24 days after leaving Gaspy.

J. SHERWOOD.

No. 5.—REMARKS CONCERNING THE RIVER MADAWASKA.

(*Canadian Archives Series, B. Vol*, 169, *page* 123).

The river winds between Mountain and Hills, those seen from the River are only marked in the Sketch, the others further off are some time seen in the longest reaches which the River makes in its windings, and all those Mountains are the cause of its bends. It is in general shoal, not exceeding nine inches in some parts, and only navigable for small Batteaux. The Rift in its lower part near the River St. John's, I was told by an Indian (who spoke pretty good French) is at all time navigable for a four handed loaded Birch Canoe and they often even sett them up by poles, whent they are expert, but mostly carry canoe and cargo over the Rock, which might be easily made navigable by Locks, and cut through it, being a shelvy Blue stone, but without a Lock, would lower the River and make it less navigable, it now being on the East side, more than half way over, and about as much from the West side, more than half way over, and about as much from the West side a little lower than the former keeps the water up, or in a manner dams it. When the River St. Johns breaks up in the spring these Rocks are all covered and no fall appears. The shoals in this river are caused either by round loose stones or large gravel or a flat wore stone,

generally called shingle. The Banks at the mouth are about 15 or 20 feet high, but differ much higher up, like most rivers are at the side of the bend high and opposite low, in some parts not exceeding four or five feet (and I believe in the Spring under water) and opposite 25 or 30 feet.

The trees in general are of evergreen kind like white cedar, single and double Spruce, and the Balsam tree, a few white and red Pine, white and few black birch, few Elms and less ash, mostly marked in the sketch.

No. 7.—REMARKS OF THE LAKE TIMISQUATA,

Where it empties itself into the River Madawaska it must be shoal from the rapidity of its current.

It is not above a mile and a Half broad at the largest places, and still too large to navigate at all times, with those small canoes used on it, without danger, it would therefore be necessary to be examined for to know, if, to facilitate the Trade and the Communication, it might not be necessary to have large craft to cross it with, and a House at the entrance of the river, where in general people are stopped when the wind is strong, either westerly or easterly, as the shoalness of the River Madawaska determines the Craft used for its navigation to be small and flat, (suppose the size of a Schenectady five handed Batteaux) so the lake might have some kind of flat bottomed decked Boat provided, that the river and bay would allow it a shelter and safe entrance in a high wind, at all events it requires a person to live at each end, of that part of the lake, between the present carrying place and the head of the River Madawaska.

If the places on the sketch marked with the letters A, or the River B in the Bay C were so situated as to allow a good road to be made to them, or to either, it would be preferable to the present carrying place where the Land is very sandy, barren and bad, having a few burned Pine Trees standing on it, whereas the two former places have some natural grass seen, the first at the cleared spot, where the French one had a stone house, and the other at the bottom of the Bay C, near the River B. Hay seems an object worth attention for horses to be kept at the Lake, for those, who come from St. Lawrence River to it. (*page* 124).

No. 8.—REMARKS IN REGARD OF THE NEW ROAD TO LAKE TIMISQUATA.

There is a great deal done to said road, considering the difficulties attending the cutting out or marking it, in an impenetrable Thicket of Trees and underwood, but now being the time to make an exact survey of it, so as to rectify all unnecessary windings in it, and to lead it about hills and mountains to prevent great or steep ascents and decents, to carry the logg roads in a straight line, by which means carts meeting can see one another, and wait at places made on purpose (wide enough for two carts to pass one another), many parts of the present Road is wet, and like a Bog altho' greatly ascending or descending, the water being kept up by the Roots of trees, there should be indispensably be made near the road, a kind of ditch or drain, to lead off the water. I allow it will require a good deal of work, but less than to make, or lay the road over with Loggs, and everlasting when done. I believe the best way to be, to lay the Timber cut down in the Road, in large Piles and to burn it.

There are likewise many places which appear like swamps, altho' the road is at the side of a rising ground, which is seen by the motion of the water running across it, it is likewise keep'd up by the great numbers of Roots of Trees, and therefore a drain should be cut at the rising side of the road, and from distance to distance lead across it, to prevent its stopping in it. All the Soil, in both cases, should be thrown into the Road, which will be not so much frequented, but will have time to settle, & fill up the deep holes between the Rocks and Roads.

Many ascents of hills and mountains should be made easier by turnings and windings, for horses and carriages, and the present road left to people on foot. Some of the ascents and descents, are almost impassable for a Loaded Horse, and less a cart to go up or down.

The swampy places should be examined if possible to lead the water off, or the Road lead round it.

I have observed that the Road in general is Rocky and therefore the watry not so deep as what they call, to swamp a Horse or man.

A Level will be a very usefull instrument to do the making of the Road, as it greatly depends upon the water being led towards the lower parts. The soil in general is vegetable earth or Black mould, but very thin, hardly covering the Stones in some parts, and in others none at all like what the Canadians call *les Lieux des Roches.*

To me it appears that these Lands do not promise much to encourage settlers on it, being shallow and Rocky. Therefore, for the good of the communication and Trade (if Government think it an object) to build Houses and clear some Lands at certain Distances, as no poor man can do it, and no man who has something will settle on bad Lands, and remote from Church or Society.

The kind of Trees produced is marked in the sketch, from which connoisseurs may judge the quality of the soil.

The River des Loups should have a skow consisting of three hollowed trees like Canoes, one for the Horse and two for the cart wheel to go into, with a man to Ferry over as I do not think it very easy to make a Bridge over, to stand for any time, on account of its width and Rapidity. The ascent at the beginning of the Road from St. Lawrence River should be made easier, by winding on the mountain.

This communication between the St. Lawrence and St. John's River, being made practicable and easy, besides the public use, is of the greatest importance to those who settle at the upper parts of the last mentioned River, where I was told a Bushell of Salt sells for three Dollars, which in this Province, or at Quebec cost only two shillings, other necessaries of life in proportion.

The nation will lose nothing by the Trade being carried on in one Province instead of another, when part of the community reaps so large a benefit from it, I mean the Settlers high up on the River St. John's, or its branches.

As Mr. Renaud tells me that the Bridges over the River du Sud and are in agitation, I therefore could not make any remarks about the road from River du Cap to Quebec. (*page* 126).

No. 9.—CAPTAIN MUNRO'S DESCRIPTION OF THE RIVER ST. JOHN'S, AND THE LANDS IN NOVA SCOTIA, AS ALSO OF THE NEW ROAD FROM KAMOURASKA'S TO THE LAKE TEMISCOUATA.

(*Canadian Archives, Series* B., *Vol.* 169, *page* 72.)

From Halifax to Windsor there are about 40 miles, the Lands are broken till you come to Windsor, opposite to Windsor lays Horton, the Lands are very good with Salt Meadows, here the River may be forded at low water on Horseback. From Horton to Cornwallis there are 12 miles of a bad Road, the Lands are good for nothing. Cornwallis is situated at the end of the Bay, which terminates under the mountains, from this place you have an exceeding high road, of about 70 miles passing through the centre of a barren plain of about 6 miles wide, preserving all along nearly the same Breadth, at the extremities on each side of this Plain the Lands gradually rise and appear to be very good upwards, this Ridge of Land runs along the south side of the Bay of Funday, and is about 12 miles across, from the Plain on the south side to the main Ocean there are 40 miles. About 20 miles from Annapolis you come in upon a small River, the country between this and Annapolis is very good, tho' the Lands are much broken. Annapolis lays on a point of Land, the village is very trifling, consisting of about a Dozen of old Houses, a Church and a

very regular and extensive Fortification all in ruins, with Barracks for 400 men. There are 12 miles from the Town to the Gutt, a small Channel thro' which you enter the Bay of Funday, here is a Harbor equal to that of Halifax, at the Bottom of the Bay are Four Townships, two inhabited by Loyalists Reffugees, and two more inhabited by free negros.

The Bay of Funday is 12 Leagues across to Fort How, the navigation about Fort How is very dangerous, the channel being very narrow and subject to continual Foggs, which come upwith the southerly winds, but never extend further than two or three miles up the River St. John's, and no Vessel of any Burthen can go out or in at low water, on each side of this Harbor the Reffugees are erecting regular Buildings, when I left that place the 26th Sept. 1783, Major Studholm told me that he had a return of 700 Houses being nearly covered.

Conway.

The Township of Conway is the first on the west side of the river, it contains by estimation 50,000 acres, it is bounded on the west by the Bay of Fundy, on the east and north-east by the River St. John's, and on the north partly by Colonel Glaziers Lands, and partly by ungranted Lands. Musquash Cove, near the westernmost point of the Township is a good Harbour and contains from its entrance to the Falls (about 8 miles) at least 2,000 Acres, of very good Salt Marsh, which may be easily dyked, the uplands in the vicinity of the marsh are in some places exceedingly rocky and mountainous and in others cold and barren. There are two Falls where good mills may be erected but no good Timber, on the Sea Coast from Musquash Cove to the Harbour of St. John's the Land is rough and barren, there is one Cove at Manuaganiche where there are about 3 or 400 acres of very indifferent Salt Marsh, the point of Land immediately opposite to the Fort contains about 1,000 acres of tolerably good Lands which is reserved for a Town, and public purposes, from thence up the River St. John's to Brandy Point (about 7 miles) the Lands are rough and rocky, but capable of Pasture Land, there is a considerable quantity of small wood but no Timber, from Brandy Point to Beaulier's River or narrow face (Nerepis) the Lands at a considerable distance back are good uplands but there is very little or no Interval, the Land up Beaulier's River for 3 miles on both sides (which was included in Beaulier's original Grant) are both very good uplands, and Interval. The interior part of this Township is generally bad and capable of Improvement, on Beaulier's River mills may be erected and there is some good Timber, on Beaulier's Point is the Salmon Fishery, said to be the best on the East side the River St. John's.

Ungranted Lands.

From Beaulier's Point to a small creek (about 4 miles) the Land is rough, steep and rocky but capable of good Pasture, this Creek runs up about 3 miles to Falls, on both sides of which are some good Lands for Tillage, mowing or Pasture. From thence to General Gage's Grant the Land is tolerably good, and thick woods for about a mile back from the River.

General Gage's Grant.

General Gage's Grant consists of 20,000 acres and extends to the Boundary of Gage Town, the upland in general is very bad, there is some on the River side on which are 5 settlers. Exclusive of those settlements there are very little good Lands of any kind.

The Township of Gage.

The Township of Gage extends to Swan Creek, the Lower part as far as the Head of Long Island is very good Land, from thence to Grimross Creek is very indifferent; between Grimross Creek and the main river is a Peninsula containing 1,900 acres of valuable Intervale, from thence to the upper end of the Town is valuable Intervale and upland. This township was also escheated to the refugees.

The Township of Burton.

Opposite to Maugerville is the Town of Burton, running from Swan Creek to Ormaloe River, and including a small point above the river opposite the Block House, the Lower part of the Township, beginning at Swan Creek, and extending about 5 miles is tolerable good Land, Interval and Upland, I omit the upland not exceeding a mile, deep in any place, the remainder of the Township is not so good in the River until it comes to Oromocto, proceeding up the Oromocto to about one mile is good Land and for near 20 miles up the Oromocto it consists of low sunken meadow for near one mile deep, back of which the up limit is very much broken, and barren from thence to the Oromocto River is a quantity of good Interval and Upland extending about 2 miles up the river, and in many places the Intervals are half a mile deep partly within the Township of Burton and ungranted Lands—the interior part of the Township is all bad. There is an Island belonging to this Township called Ox Island which contains about 60 acres of excellent Land. Adjoining Burton on the north-west side of Oromocto river is a tract of very good Land, granted to Arthur Gold, Esq., containing 10,000 Acres, and is 4½ miles in Front, in the lower part there are 5 Settlers, who have purchased the remains, but as yet wild and uncultivated.

Sunburry.

Sunburry begins a at place called Old Mill Creek and proceeds one mile up on a rough rocky shore to St. Anne's Plains, which is a spot of land cleared by the French about 2 miles in extent, it is a piece of Level high Interval which formerly contained a number of Houses, but only 3 Familys now remain upon it; from thence to the French chapel is about 6 miles, all good Land, strips of Interval, and good upland, back of St. Anne's and up to the Chapel on the back lotts is a large quantity of very fine Pines, fit for Masts, &c. About 2 miles higher up the river no Interval Land but the upland appears very good. Then to a French village on a semi circular point of excellent good Interval with good upland back of it, from thence 3 or 4 miles there is no Interval but tolerable upland. At the end of the Town is an other French settlement of three families upon a spot of good Interval, in the front of this Township is a number af good Islands which contain about 1,000 acres of most excellent Land.

New Town.

Opposite Sunburry, next to Maugerville is the Township of New Town containing 50,000 acres, from Maugerville to the River Nashucash are tolerable good Lands, Nashucash is a piece of one mile square, granted to John Andrews. Proceeding up the Nashucash River (which is about 10 rods wide) about 3 miles up you come to Rapids which render the navigation difficult, the lands about the Rapids for 3 miles are very indifferent, then begins good Land on the Western side, and there is one Island near two miles in length which appears to be tolerable Interval, from thence proceeding 10 or 15 miles there is a quantity of exceeding good Interval, and good upland alternately. On both sides the upland back is generally high with a considerable quantity of wood, something rocky, but apparently capable of making good pasture Land, beyond that the Land appears not so good. This river abounds with Salmon, the upper lands are naturally clear and a large quantity of Hay may be cut blue joint & foul meadow, the upper part of New Town on the River St. John's not known.

Stirling's Grant 10,000 Acres.

The lands on the South East of the long reach which was granted to Capt. Walter Sterling of the Navy—except 5 miles—is a very bad tract, there is no Interval, Tillage, nor Meadow Land, nor would, 1,000 acres accomodate one single Family—From that is a Tract of ungranted Land extending near 6 miles which is in some degree better in quality, then comes that part of the Township of Amesbury

fronting the River St. John's and extending on the River to the Washademock, the lower part about Belle Isle is tolerably good, but no Timber; the upper part is chiefly burnt Land in the river, fronting this Township are a number of Islands, the 1st a small one near Belle Isle of little consequence, the 2nd is Spoon Island, which is about one mile long and very narrow; it contains about 50 acres, the Land is excellent in quality and appertains to Amesburry, the 3rd is Long Island about 4½ miles in Length containing about 800 acres, including a Sunk Meadow, which extends almost the whole length of it. The lands on the Borders of the Island are of an excellent quality, this is said to be the property of—Buller Esq., and other purchasers from him, Joseph Garrish Esq., who purchased of Sir Robert Wilmote, to whom it was originally granted, no Improvements, nor Settlements have ever been made on this Island by the Proprietors, the 4th is lower Musquash Island which is near 3 miles long but chiefly a Lake and very low Sunken Meadows, on the borders is a small quantity of very good Lands, the 5th is Upper Musquash which contains about 200 acres, it has a Lake in the Middle but not so large in proportion, it has very good land on the borders, the 6th is Grimross, or Isle Metiere, which contains about 200 acres of very good land, the three last of these Islands belongs to Gage Town. Adjoining Burton on the North West side is a Tract of Land granted to Chas. Morris Esq. of 12,000 acres of exceeding fine Lands.

Naure W.

The Lands on the East side of St. John's River are now laid out for a township of 10,000 acres until you come to Hazen's and Simmon's Grant, which is settled, this grant extends about 4 miles up the River Kenebicasies, which is a large Bay 3 or 4 miles across, then it becomes gradually narrower as you proceed up from Hazen's Grant to a grant lately made made to Sir Andr. Hammond which consists of 10,000 acres, the Land is indifferent and chiefly Birch, Sir Andrew has a valuable tract of good Interval and upland which includes a French settlement of 15 families who have been settled there 15 years previous to his grant, and are at present the only settlers there excepting one, who is also there without leave or contract. From Sir Andrew's Grant on both sides, to Buxton's Grant and Major Studholm's Grant is included in the Township of Amesbury now escheated to the Refugees, and consists of low sunken Interval, and large meadows. The upland is not very good, Buxton's and Studholm's Grants consist of 9,500 acres and are a very Valuable Tract. Next to them comes Haye's Grant, which is 3,000 acres of very bad and burnt Land, —then follows ungranted Lands 2 miles, equally bad—afterwards a tract of Land said to be reserved for Major Studholm of 4,000 acres, which is a good piece of Land, consisting of wood land and Interval, but deficient of good Timber.

The Land above this is in general good with a large quantity of wood upon it. The Interval about 1 mile deep and continues according to the best Information about 13 miles: here the River lessens to a small brook incapable of navigation, even for a Birch Canoe.

All the other Lands between this and Piticodiack (which discharges itself into the Bay of Fundy by Fort Cumberland) are burnt and bad. The Islands in the River and Bay of Kenebecasies are of little Importance. On the River St. John's the Lands are tolerably good, near the Head of the Township there is a piece of 200 acres granted to John and William Jeffries, the remainder of the Township about one mile in length.

McNutts.

This Township is chiefly upland; the River Madarukissick runs through it, it is a small River. The Township is very little known hitherto.

Marcure's Plantation

Begins at old Mill Creek, which is the South East Boundary of the township of Sunbury, from thence to St. Anne's, 3 miles 1½ from Mill Creek on the opposite side of the River Nashweak, which runs East by North about 50 leagues and ends in a lake

70 Leagues Long and two leagues broad, two Leagues from the mouth is a small River called Pamouyack, there are 3 Islands in this river. The 1st, two miles in length and one in Breadth. The 2nd, Pietetry Island, about 3 times as large as the first, both of these are near Pamouyack, the 3rd is about 3 miles from Pamouyack, and is about half as large as Pietetry Island. The Land on this River in generally good on both sides, until you come to a portage. From this River to Madamhuiwick, which is about 3 miles across, and about 20 leagues on this side Nashuack Lake. From the Portage towards the Lake the Land is bad, the remainder to the Lake is very good, with much Interval, 3½ miles from Aupac is the River Madamhuiwick on the East side of the River St. John, this river is nearly as wide as Nashweack, and extends nearly as far into the country, it has its source in the mountains, 25 Leagues from the mouth is a large branch which gradually approaches Nashweak River, about 8 Leagues from the fork is the portage. The Land on each side of this river is alternately Interval and good upland; the smaller Branch of this river ends 6 leagues from the fork in a small Lake, and is good Lands on both sides, between Aupack and the entrance of Madamhuiwick are four very valuable Islands named in the plan: from Madamhuiwick to Musquash is one league, which is a river not so large as Madamhuiwick, and runs in the same direction about 2 Leagues distant from each other; about 1 league up that River the Current is very strong, after that moderate. The Land about it of the same quality. There are two Islands near Madamhuiwick's mouth bearing the name of that River. From Muchtuqnach, about 4 miles on the west side of the river is Pine River, which is a small River, not navigable even for Birch Canoes, the Lands on both sides are good and capable of good Roads, opposite to it is a small Island of about twenty acres and good Land. From thence to Gowac River is 6 Leagues. Gowac is a small Creek rendered incapable of navigation by Falls, but will answer for mills. Between Scoodac a Brook and Gowac are 6 Islands, 4 called Bear and 2 Gowac Islands. From Gowac to Nexuquequish are 4 good mills; this is a large River running in such a direction as to come 10 Leagues of the portage at Nashweake, crossing the head of Niquomquiqua and Madamhuiwick Rivers, on the west side of the river of St. John's. Adjoining to the north Boundary of Sunbury is a Township of six miles square granted to Major Murray and his corps, on which he placed himself and men. This settlement goes on fast, it is exceeding good Lands. Fifteen Provincial Corps were on their way from Fort Howe, the 10th of October, 1783, when I left that place to form Townships in the same manner as Major Murray, the Lands on both sides the River St. John's, about those Islands are very good with small streams fit for Mills. About 20 miles higher up, on the west side is Meduankato River, which is very rapid where it enters the River St. John's, but higher up navigable for a greater distance to the South-West, and good Lands. The next is Medoctick River, this Stream has excellent Falls, and fine Timber for boards, here is a fine piece of Interval in which two or three Indian Families live, about the centre of this Interval are the remains of an old Breast work, sufficient to contain 200 men. The next River on the west side is Madocheuquick, here the Indians lived formerly, their Church is still standing and kept in good repair. On both sides this river is good Land, and some of the Islands opposite are very good. The next river on the west side is Sicaralligo, very good upland and back some Interval. The next on the west side is River Flute. The next a small creek, fine Lands on those Rivers. The next on the west is Neinance.

The next River Jacquet, this is a large River and extends 100 Leagues to the westward, one small portage near the mouth of it; this River is full of valuable Islands and fine land, till it terminates in several Lakes: from this to the Falls, no river nor any stream of water from the westward. After you pass the Falls you go up 15 Leagues the River St. Johns till you come to the River Madawaska which you enter leaving the River St. Johns to the left. From Madawaska to the extremity of the River St. Johns, which the Indians call six days Journey are all very fine Lands without any portage till you come to the Lakes. Between the Great Falls and Madawaska the Lands are remarkably fine and good; the flatts are under water for a few

days when the Ice is going away, which enriches them very much. An industrious man may put 30 acres in corn or wheat in one year with a pair of oxen or Horses. I shall now return to the Rivers coming from the eastward. Besides those Rivers already described on the East side of the River St. Johns, there are several more, the two principal of whome are the River Vert and the River Tobit. River Vert is navigable 60 leagues and River Tobit 75 leagues; both Rivers Vert and Tobit terminate in several Lakes near the heads of Ristiguish and Marimiche Rivers which enter the Bay Chaleur. There is a portage of two Leagues from the Rivers Vert and Tobit to the Heads of Maromichee and Ristiguish; the Lands upon all those rivers are most excellent. By Information of the Indians and Canadians who have been often up and down those Rivers, from the Entrance of Madawaska River to Lake Temisquata are 10 leagues.

No River or any stream of water comes in till you get to the Lake Timisquata, 5 leagues to the new Road. Up the Lands Meadwaska the Lands being very high all allong on both sides, but behind these High Lands you have a fine country, the Lands round Temisquata Lake are very bad, excepting some spots on the west side and near the Post House from which you enter the new Road to the River St. Lawrence, as I was more particular going forward into the New Road. I shall now begin at the River St. Lawrence. The new Road enters into the woods about 5 Leagues below the Kamouraska, from this place to the river du Loup very indifferends Lands, near the road on the south side of the River du Loup there are some good Lands, about a league further is the Petite rivière du Loup where I found a spot of good meadow Land. The north side of River Vert for about one mile and a half is very good land and the banks of the river covered with very good Pines. On the south side the Lands are bad until you come to the Beaver Dam, from the Beaver Dam you have very good Lands for one League till you come to River Risuederock; from this River to St. François you ascend gradually untill you get up the Hills, all good strong Land for about 2 Leagues, when you get to the High lands, you will have a fine view of the country in the Fall when the Leaves are off. When you come within 4 Leagues of Lake Timisquata you have falling and rising ground with Swamps, till you come to the Lake, and several spotts of good Land upon the small river, the distance from Lake Timisquata to the River St. Lawrence is about 12½ Leagues, on this road are a number of Streams very proper for Mills which may be erected at a small expense. This road will be of the greatest importance to Canada, and more so to Nova Scotia, as all the Inhabitants that will settle above the Falls must carry their necessaries from Canada, but their produce must go down the River St. Johns, as the Land carriage to Canada will be too expensive. I shall now return to the Navigation of the River St. Johns, a vessel of 60 tons may come over the Falls at Fort How at high water, and proceed up the River with safety to St. Anne's, which is about 60 miles. In the Spring when the water is high, you may proceed with Boats to the Great Falls but with difficulty till the sides of the River are cleared of the gravel and round stones. The River is full of Rapids to the Falls, but not equal to the River St. Lawrence above Montreal.

When you come to the Great Falls you have a carrying place for about a mile, here you have a very steep pitch before you gain the height as it is at present in the state of nature. 20 men will make a road fit for a carriage in one week over this carrying place as its course [is] rocky. This carrying place must never be granted to any Individual as it would injure the Public.

Above the Falls you enter still water which is navigable to Batteaus till you enter the River Madawaska, here you will meet with a ridge of Rocks which in the spring are under water and may be got over without difficulty and allow you to proceed up the River and Lake to the Post House at the Carrying Place. But when the water falls you are obliged to carry over your Boats or Canoes and load above the rocks, this may be cleared by six miners in a week so as to make a free passage at all times for Canoes or small Boats.

The climate upon the River St. John's is much the same as about Montreal and Lake Champlain. When I left the Kamouraskas the 16th of July the wheat was

not in the second joint, the 22nd of July when I came to the first settlements upon the River St. John's the wheat was in Blossom. When I came to the same Inhabitants upon the River St. John's the 10th of October both their Wheat and Indian corn were in their Barns, the 25th of October when I arrived at the Kamouraskas several of the Inhabitants had their Wheat and Oats in the field and some uncut. I am sensible that by conversing with several people who have gone up and down the River St. John's of their being still ignorant of the quality of the Land as they never examined further than the Banks of the River. It is true that along Madawaska River and from the Great Falls to the River Jacquet the Lands are high on the Banks of the river, covered with Cedars, Hemlock and Spruce, but take a view of the country back and you will find good Lands where thousands of Inhabitants may settle. The River St. John's is full of all kinds of Fish, such as Salmon, Sturgeon, Bass, Trout, &c., particularly to the Falls, and above the Falls Trout in abundance. The banks of the River above the Falls are covered with wild grass which will afford the greatest help to the settlers in the beginning. The Inhabitants that will settle upon the River St. John's will have Fish and Mowse meat every day in the year with very little trouble.

There are about 60 Indian Families upon all those Rivers who go about from River to River and carry the bark, with which they cover their Hutts, in their Canoes, they very seldom encamp in the woods, but always upon points of Land in order to have a view of the mowse deer (which are very numerous) when they come to feed and drink at the river side. When I come through in October, the most part of the Indians were moving off, to the Eastward for fear of the number of provincial troops and settlers coming upon the River. When they kill more Dear, than they will have occasion for they quarter it and throw it into the River in order that those who are needful may find it.

Mr. William Davison of the river St. John's has been fishing this season upon the Mirramichi River in Chaleur Bay where he cured 500 casks of Salmon, had he been supplied with Salt and Casks he would have cured 500 tierces of Bass and other kinds of Fish, He keeps three Schooners fishing for cod in the Bay of Chaleur, he goes from the lower end of Maugerville upon the River St. Johns to the Bay of Chaleur in 4 days in canoes. He has engaged 50 Families of the Refugees to settle on the River Marrimichee & Restiguish next summer. Capt. Sherlock of Halifax assured me that he made three voyages to the River Mirramichee this summer, that he went up 70 miles this summer that River with a vessel of 300 tons (all fine lands, the climate the same as the River St. John's) he says, he never saw such quantities of fish in water.

On the River St. John's are the finest Masts and Spars that I have ever seen. I saw at Fort How above six Thousand pounds worth. 2 ships were loading when I left that place. I suppose there were masts sufficient there to load 10 ships.

I find very triffling conditions on the Grants for Lands for Nova Scotia; but no reserve made to save the Pines for the King's Navy.

The proprietors sell the Pines standing for 8 dollars each tree. It will be the ruin of the Refugees, so many settling at Fort How, and upon the Sea Coast, as they can have no wood there but what they buy, or carry from a great distance they would have done better had they gone into the woods.

JOHN MUNRO,
Agent for the Proprietors.

For His Excellency General Haldimand,
Commander-in-Chief in Canada and the Frontiers thereof,
&c. &c. &c.

No. 10.—CAPT. J. SHERWOOD'S JOURNAL FROM MONTREAL TO LAKE ONTARIO, FROM THE WEST END OF LAKE ST. FRANÇOIS TO THE BAY KENTY.

(*Canadian Archives, Series B., Vol.* 169, *page* 15.)

Sept. 19th, 1783.—Left Montreal with Lieut. Johns and two men of the King's Rangers; Ensign Bothem and 7 men of the Loyal Rangers, proceeded up the River St. Lawrence in a Boat. 23rd Arrived at the west end of Lake St. François which is about 65 miles from Montreal.

Sept. 24th, 1783.—Sent out a party to go by Land 3 miles back from the River and to proceed 10 miles up the river, and there wait for the Boat. We camped this evening at Mille Roche, 18 miles up from the Lake, here the Party join'd us, they report that they went 4 miles back from the water and that the Land is all the way of the best Quallity they ever saw, it being a black deep mould entirely free from stones, Ledges or Swamps; the Timber is very thin but grows exceedingly large and tall, it is a mixture of Beach, Maple, Elm, Basswood, Butternut, White Oak, Hickory and some Pine. The Land is exceedingly pleasant all along the shore, and there is a number of fine Islands in the river, but is a great scarcity of water back from the River.

Sept. 25th, 1783.—Sent out a party to go by land and proceeded this day 5 Leagues which brought us 2 Leagues above the Rapid Long Sou, here the party who went by Land joined us, they report that they went 2 Leagues back from the River, that the Land is all the way exceeding good, the soil black and deep; mixed with clay and loam, the Timber the same in Quallity as described yesterday. Lieut. John's who was one of the party says he never before saw so fine a country of Land for all kind of cultivation; they crossed a large creek which empties in the river just at the head of Long Sou; about 2 miles up this they saw a very convenient place & falls for mills, surrounded by a fine grove of pine and white oak Timber.

26th and 27th.—Proceeded about 28 miles to the head of all the Rapids, this place is called La Galloon and is about 3 Leagues below Oswagach, I sent out frequent partys all this way, as before, and their reports all agree in the Excellent Quallity of the Land which is in general as above described, and the River all the way interspersed with fine Islands, the Soil and Timber exceeding good.

28th.—Proceeded 5 Leagues, the Land in this distance is not so good as above described, it being somewhat stoney, but the Soil is deep and rich and may be cultivated to great advantage, on the whole the Land may all be said to be of the very best Quallity from the Lake St. François all the way up the River 12 miles above Oswagacha and would admit of, at least, 12 Townships on the River, each 6 miles square, but the six Lower Townships would be the best of the twelve, indeed I think there cannot be better Land in America.

29th.—I sent 3 men with 6 days provision to go by Land from two Leagues above Oswagacha to Catarockui.

30th.—We arriv'd at Carleton Island, there is a vast number of Islands between Oswagacha and this place, but in general they appear to be barren rock, excepting one called Granadier Island which appears to be fine Land.

Oct. 1st.—Arrived at Cataroukui, I came from Carleton Island to this place in a bark Canoe, and cross'd the Island call'd Long Isle, this appears to be a very good Land, nearly equal to the Long Sou, and from every information I can get from my own people and others, who are good Judges of Land, I am persuaded here may be two very valluable Townships, one East and the other West of the Portage.

2nd, 3rd and 4th.—Went to view the Land from Catarockui to Six Nation Bay which is about 7 miles west, this Township will in general be stoney on the Lake, but about a mile back the Land is good, especially up little Catarockui, and between that and six nation bay the land is very good.

6th.—The party who came by Land from 2 Leagues above Oswagacha join'd us at Catarockui; where they report that for the first six miles of their march, the

Land would admit of a tollerable good settlement, that this Township will be water'd by 3 fine Creeks, on one of which is a good place for a mill, about 2 miles from the Lake—that all the rest of their march within 5 miles of Catarockui the Land was exceeding bad, being a constant succession of stoney Ledges and sunken Swamps, altogether unfit for cultivation, for 3 miles, at least back from the Lake, that on the East 5 miles next to Catarockui the land was broken, but in many places was improveable and would admit of a scattering Settlement, this day I went with the Boat to view the Land for 3 miles west of Six Nation Bay to be very broken and stoney for three miles back from the Lake, we encamp'd this night at a Bay 9 miles West of Catarockui, this we call Muddy Bay.

7th.—Proceeded up the Lake, always keeping a party out by land 2 or 3 miles distance from the water, at about 3½ miles from Muddy Bay we came to a very fine river which the Indians called Mittabikitaga, or Stoney Creek, between this Bay and Creek the Land is very good except a small distance on the edge of the shore which is stoney, but in general the stones do not extend more than 200 yards from the water, and then begins very good Land, this river has two very fine falls, the uppermost not above a quarter of a mile from the Lake, from this we proceeded to the entrance of the Bay Quinty, which is about 7½ miles from Stoney Creek. The Land all the way for 3 miles back, which was as far as we went is extraordinary good for any kind of cultivation, the soil is deep and rich, the Timber is Beech, Maple, Elm Basswood, with some Pine and White Oak. We went this afternoon up the Bay on a Course West by South about 18 miles, here the Bay turns North by East as far as we could see, which we judged to be 15 miles. The Bay in general, as far as we went is about 2 miles wide, we encamp'd this night by a small Creek the South side the Bay on the tongue of Land between it, and the Lake, the Land on the North side this Bay thus far is very good.

8th.—I sent Lt. Johns and one man to explore the tongue of Land from our Encampment back to the mouth of the Bay, and Ens'n Bothom with one man to find the distance due South across the tongue to the Lake.

9th—This morning Ens'n. Bothem return'd, and reports that it is about 6 miles on a South line from our Camp to the Lake, the first 2 miles the Land is extraordinary good, as it is for 2 miles next the Lake, but 2 miles in the middle is generally Ceder Swamps. We returned this evening to the mouth of the Bay where we met Lt. Johns on the point of the tongue. He reports that he thinks this tongue of land about 15 miles long and about five miles wide in general. And that the Land for about a mile and a half from the water on each side is very good, the Soil black and deep, very heavy timber'd, generally Maple, Elm and Basswood with some Large Pines. The middle is almost one entire Ceder and Hemlock Swamp (or rather Grove) not too wet in general for pasture and meadow, the soil very rich.

10th.—Returned to Catarockui.

11th.—Went to look at the Country East of Catarockui, proceeded 15 miles to a large river which the Indians call Cadanockui, near the mouth of the River is a water fall of about 20 feet perpendicular, which forms the most convenient place for mills I ever saw the Land from Catarockui for 5 miles down is broken and stoney but intermix'd with Glades of choice good Land, and considering its vicinity to the Garrison it may be a valluable Township, but then the lots must be picked out wherever the good land can be found, for if they are laid and drawn for in a regular form many men would get lots which would be worse than none—from this Township to the river Cadanockui the land is altogether unfit for settlement, being one continued bed of rocks, with intervals of sunken Spruce Swamps 2 miles from the Lake, there may be a good farm on the East side Cadanockui river there is 3 delightful little Island near its mouth, but in general the Land is very bad on each side this river.

13th.—Returned to Catarockui, and on our way explored the Island. this begins 6 miles below Catarockui, is about 7 miles long by 2 wide and in general is very fine land fit for any cultivation.

14th.—I sent Ens'n Bothem with the Boat to land Lt. John on the north side the Bay Quinty at the western extremity of the late Indian purchase, from whence he is to proceed with the two men one days march north, then East untill he falls in with the Catourouku River, then down the River to the Garrison. Ens. Bothem is to explore the land 3 miles back from the Bay, from where he lands Lt. Johns to the East and West angle.

15th.—I went with 2 men in a bark Canoe up Stoney Creek with an intention to find its source, this stream is very pure water, and so rapid that we were many times oblidged to wade to our knees and draw the canoe for an hour at a time, we proceeded up in this manner a day and a half which brought us about 6 miles north from the Lake, for one mile from the mouth of this Creek the Land is broken and stoney, but then begins delightful Land, and as far up as we went equally in quallity to the Long Sou.

17th.—The Logs in the river prevented our proceeding any further by water, we took out the Canoe and I went north by Land for about 3 miles which brought me in sight of a Lake which appeared to be 6 or 8 miles long and about half as wide, but a large sunken marsh prevented me from going to it. here I began with my compass to take the angles of this Serpentine river, guessing at the distance from angle to angle, and found it as follows.

From the great Swamp next the Small Lake the Creek runs west 4° south 2 miles, then S. W. 1 mile, then west ¾ mile, then south 10 rods, then S. W. 10 rods. then south 10 rods, then S. W. 18 rods, then S. E. 25 rods, S. W. 27 rods, west 30 rods, S. E. 17 rods, S. W. 8 rods, S. E. 80 rods, south 10 rods, south 15° west 20 rods, south 25° East 50 rods, S. E. 45 rods, west 15° north 90 rods, 15° 10 rods, west 18° north 28 rods, south 25 rods, S. E. 80 rods, N. E. 90 rods, east 30 rods, N. E. 22 rods, east 33 rods, N. E. 12 rods, east 29° north 10 rods, S. E. 15 rods, south 32° east 90 rods, south 29 rods, S. E. 60 rods, south 44 rods, south 7° east 100 rods, S. E. 56 rods. All this distance every angle in the river forms the most beautiful bows of proper Intervals, Land of the richest soil, and the upland back for 2 miles on each side the river is of the best kind. here the river runs through bad stoney land south 45 Rods to a fall which is about 7 feet perpendicular, then S.E. 18 Rods, a very rapid current. then south 17° east 30 rods to another Cataract which falls at least 12 feet. then south 12° east 24 Rods, then south 12 Rods to the mouth of the river.

This is a noble stream and should be in the centre of the second Township and the lots be laid East and West, bounded on each side of it, from this as far up the Bay Kenty as I have been is good land sufficient for four Townships. The tongue between the Bay and the Lake two Townships, the Isles Tonte one. the long Island two, so that from Catarockui 18 miles into Bay Kenty, a distance of about 38 miles, we have ten Townships (including two Islands), the land in general nearly equal to that on the Long Sou, and the climate much preferable.

20th I returned to Catarockui.

23rd October. Ensn, Bothem returned, and reports that after Landing Lt. Johns and party at de Mulek House he proceeded to explore the country from sd House on the Et. side the Bay Quinty, back to its mouth, and finds the Land in general to be of the best Quallity. From the entrance of this Bay it bears South of Wt. 18 miles to a point which he calls Oak point, here it turns to the Et. of North about 3 miles, then a bay about a mile wide puts in near 3 miles to the East, about three miles still North puts in a second bay to the East, near 4 miles; from this Bay which is about one mile and a half wide, they proceed'd still North about 3½ miles to a third Bay near 2 miles wide which Mr. Botham jndg'd to be 10 miles long, bearing S-E from the mouth to the head—from the head of this third bay he marched du South about 2 miles which brot him to the Lake near one mile East of the entrance, or mouth of Quinty Bay. there is a number of fine Creeks puts into the heads of the above mentioned small Bays which forms the most beautiful Land he ever saw, all the way from the mouth of the Quinty

Bay to de Mulek House, an extent of 30 miles. From Messrs Johns and Bothums report compared with my Tour up Stoney Creek (which puts into the Lake 12 miles West from Cataraqui) it appears that, between Bay Quinty and a North line drawn from the mouth of this Creek lys a very extensive country of land equal in Quallity to the Long Sou, or any other part of North America. (page 29.)

J. SHERWOOD,
Captain Loyal Rangers.

To JOHN COLLINS ESQ.
D. Surveyor General.

N° 11.—LIEUT. JOHN'S JOURNEY THROUGH THE WOOD FROM BAY CANTEY TO COTOROQUI.

(*Canadian Archives, Series B, Vol.* 169, *page* 26).

DE MULAK HOUSE, 19th Oct., 1783.

Set out from said house and marched north two miles and struck a Larg River that Come from N.-E. and run to the S.-W., we march up the River two miles and met with a pair of Falls, on the River, we judged them to be about 8 feet high, from that we march'd about 4 miles and encamp'd. Good Land the Day thro'.

Oct. 20th.—We continued our course 4 miles, then we altered our course and steared east. We march'd 8 miles and encamp'd. One Cedar Swamp about one mile, the Rest good Land.

21st.—We continued our course East and march'd about 5 miles and struck a River that come from the N. W. and run to the S. E., on which is very good Falls for mills, we judged the Falls to be about 6 feet perpendicular, with Rapids some way after, from that we march'd 2 miles and struck a Large River that come from the N. E. and Run S. W. We march'd up the River about 1 miles in hopes to find a ford, but finding none, we maid a Raft and Crost the River, and march'd about 1½ mile and encamp'd, good Land the Day thro'.

22.—We continued our course and marched 5 miles and come to a small Creek that come from the N. E. and Run to the S. W. From that we march'd 4 mile and struck another small Creek, that come from the N. and run to the S., from that we march about 1½ mile and struck another small creek that come from the N.-E. and run to the S.-W. from that we march'd 1½ mile and struck a small Lake that Lay N.-E. and S.-.W. we march'd down the Lake side to the S.-W. about 1½ mile when a River Run out the same course W. Followed that for 1½ mile and encamp'd, good Land the Day thro'.

23rd.—It being a stormy Day. Lay still.

24th—We maid a Raft and Crost the Creek, we judged the Creek to be about 150 yards wide, we then continued our course East and marched 4½ mils and struck a River that come from the N. and run to the S. on which there is good falls for mills. We judged the falls to be 8 feet, from that we struck a large Ceedar Swamp in about 3½ mils which caused us to turn our course more to the N. E. which course we continued about 3½ miles and incamp'd, the Land the day through, very bad being nothing but Cedar Swamps and Stoney Ridges but a number of Butifull Springs Running from the feet of the Ridges.

25th—We continued our course East and marched about 4 miles and struck a small Creek that come from the north and Run S. from that we march'd S. by E. 2 miles and struck the Road that leads from Catoroqua to the mills above.

J. JOHNS,
Lieut., K. R.

NOTE B.

DIVISION OF UPPER CANADA.

REMARKS BY CHIEF JUSTICE ELMSLEY ON "AN ACT FOR THE BETTER DIVISION OF THE PROVINCE," IN 1798.

(*Canadian Archives, Series Q., Vol.* 285, *page* 85.)

When the former division of this Province into Districts and Counties was made, very little more of it was known than the Banks of the River St. Lawrence, and of the Lakes through which it flows. Since that time the interior parts have been explored, surveyed, and to a certain degree settled. In doing this the country seemed to divide itself into districts, surrounding some natural or artificial point which seemed to offer itself as a Centre for the civil purposes of that district. It was thought proper therefore to take advantage of the present moment, when the inconveniences of making a change are trifling to anticipate the time when a change will be necessary but the inconveniences attending it considerable.

For this reason the northern parts of the Counties in the Eastern Districts, which are at present very little settled were separated from the southern and formed into Counties. For it is obvious that when the banks of the river Ottawa are as well settled as those of the river St. Lawrence, the inhabitants of those Townships will feel their attendance on public Duties at Cornwall and Johnstown a very serious inconvenience; and it is equally obvious that as the former of these Rivers affords to those who live near it, the same easy means of communication that the latter does to the Townships on its banks, the causes which have raised Cornwall and Johnstown into Towns, will in all probability soon establish a Town on the Ottawa, to which the inhabitants of those counties may resort.

In the Midland District little more has been thought necessary than to throw the county of Ontario which consists wholly of Islands, and extends from the mouth of the Gananoqui to the entrance of the Bay of Kinty into the several counties on the Mainland, to which those Islands are wholly or in greater part opposite. The only one of those Islands which is at all settled at present is the Isle of Tonti or Amherst Island. Should the other Islands never be inhabited, this change can never prove inconvenient. Should they ever be settled, it will be much more convenient for those who live on them to resort to the Towns on the Main, than to any Town that may ever be formed on any of them. The Settlers on the Isle of Tonti do now, and will always find it more convenient to resort to Adolphus Town, or even to Kingston, than to any part of the County of Ontario, which is sufficiently central for the site of a County Town.

The great extent of the Home District together with the removal of the Seat of Government from the Town of Newark to the Town of York made it absolutely necessary to separate the county of Lincoln from the rest of that District, and to erect it into a distinct Bailiwick; Provision is also made for the division of the remainder of the Home District into two Districts as soon as the increasing Population calls for such a measure.

The very rapid progress made in the Townships on the river Thames and in those which form what is commonly called the Long point settlement, together with the great distance of the latter from the town of Sandwich, which is at present the capital of the Western District, called for the division of that District into two, if not three Districts. The County of Norfolk will probably in a few years require to be raised into a Distinct Bailiwick; its limits and those of the adjacent counties were accordingly moulded with a view to that Event.

On viewing the Province thus divided, it will be seen for what purposes future as well as present the division has been made. The Town of Cornwall will, it is presumed, be always found sufficiently convenient for the Civil purposes of the Counties of Glengary and Stormont, and the town of Johnstown for those of Dundas and Grenville. The causes which establish Towns in other places will probably soon make it necessary to lay off one on the Ottawa River, which may be the County Town of the Counties on the Banks of it. The Inhabitants of the large and thriving county of Leeds have it already in contemplation to lay off a Town in the Township of Kitley.

In the Midland District the Town of Kingston naturally presents itself as the central point to the tract of country on three sides of it, which forms the present county of Frontenac, as well as to the Islands which front it. Adolphus Town will perhaps for many years be amply sufficient for all the civil purposes of the Bay of Kinty.

In the future district of Newcastle, a town at the Presqu' Isle, where there is a good harbour, or perhaps at the Hope Mills, which stand on the line between the Counties of Durham and Northumberland, will answer all the civil purposes of these two Counties.

The Town of York will of course be the County Town for what will then be the Home District.

The proposed District of Niagara consists of the County of Lincoln, and the Tract on the Grand River assigned by His Majesty for the use of the Six Nations, and to which the name of the County of Haldimand was given in commemoration of the person during whose Administration that appropriation was made.

The head of the navigation of the River Thames, and the confluence of its two principal Branches, are two of those points which I have already had the Honour to observe naturally present themselves as points of rendez-vous and consequently as places for the transaction of public business, both were accordingly long ago selected by His Excellency the Lieut. Governor for the Sites of Towns, to that at the former he gave the name of Oxford, to that at the latter the name of London. In forming the present arrangement therefore, care was taken to distribute the Townships which lie near those places in such a manner as it was conceived would best promote His Excellency's intentions.

The Town which has been projected, and I believe actually laid off at Charlotteville will be a very convenient capital to the Long point Settlement; and it is hoped that the Towns of Chatham and Sandwich will be equally so for the two Counties which will compose the Western District.

It will of course be sometime before the whole of this plan can be carried completely into execution; but when that time arrives, it is hoped that none of His Majesty's Subjects in this Province will be at a greater distance from the place to which the discharge of his public duties calls him than an easy day's journey.

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NOTE C.

WAR WITH FRANCE 1793.

No. 1.—DUNDAS TO LIEUT. GOVERNOR WENTWORTH.

(*Canadian Archives, Series C. Vol.* 366, *page* 32.)

WHITEHALL, 8th Febry, 1793.

SIR,—I have received the King's Commands to signify to you His Majesty's Pleasure that you do instantly take the necessary steps for raising and forming from amongst the Inhabitants of Nova Scotia a Corps not exceeding 600 Men, to be divided into six Companies, with the usual Establishment of Commissioned and non-commissioned officers, and His Majesty is graciously pleased to allow you to command this Corps, with the Provisional Rank of Colonel, but without any Pay in consequence thereof; and you are also to understand that neither yourself, nor any other officer, to whom Commissions shall be granted, are to be thereby entitled to any Rank in His Majesty's Army, or to any half Pay in right of such Commissions, whenever the Corps may be reduced hereafter, it being His Majesty's Intention that the Corps in question should be merely Provincial, and for the service of Nova Scotia only, subject however at the same time to the controul and orders of the Commander in Chief of His Majesty's Forces in North America, or, to such other orders as in His Majesty's wisdom He may think proper to give. Should you be of opinion that you will not be able to complete six Companies of 100 men each, as above mentioned, you will in the first instance grant only such Commissions as may be requisite for a less number of Companies, and afterwards increase the same to the full number of six, if your success in raising the Corps warrants your so doing. I am likewise to signify to you that the Commissions are to be granted to such only of His Majesty's officers as are at present upon Half Pay, and are now resident in Nova Scotia, or, in such other of His Majesty's North American Governments as will permit of their immediate Presence, and who will, in consequence of what I have already mentioned, retire again upon their Half Pay upon the eventual Reduction of the Corps.

In appointing the officers for the above Corps (exclusive of such whose Names, I shall herewith inclose, and upon whose appointment I have received the King's Pleasure) His Majesty relies upon your Judgement and Fidelity in selecting without favor or partiality, such as from their Military Talents, Character and good Conduct, and their attachment to His Majesty's Person and Government, will best promote the honor and Credit of the service.

With regard to the Pay and subsistence of this Corps, it is His Majesty's Intention that it should be the same as is allowed to the regular Established Troops, and you will accordingly draw upon the Lords of the Treasury for the Levy Money and subsistence of this Corps, in case of money not being sent to you from hence for that purpose.

Directions will be sent by this Packet, from His Majesty's Master General of the Ordnance for issuing out of the stores now remaining at Halifax, such arms and ammunition as you shall require for the Corps in question; clothing and such other articles as appear to be necessary, will be sent as early as possible.

As it may tend to Facilitate the spedier completion of the Corps, I take this opportunity of observing that whenever it may be judged expedient to withdraw the present order with respect to granting of Lands in Nova Scotia, the services of such of the Corps as are now without Grants, will be considered.

I have at the same time received His Majesty's Commands to direct Brig. General Ogilvie to send with all possible Despatch another Regiment from Nova Scotia to Barbados in addition to the one ordered to be sent thither in my Letter No. 4 of the second of last month.

I rely with Confidence on your being as œconomical as possible in respect to the Levy Money which may be granted and which, should not, I conceive, exceed two guineas a man, the sum heretofore given on a similar occasion by the late Governor Legge, and also in respect of every other expence incidental to the Service in Question. In granting the Levy Money, you will take particular care that as much of it as possible, should be delivered to each Private in necessaries usually worn by soldiers on service, independent of their Clothing, &c.

You will likewise take this opportunity of maturely considering the best and most œconomical Mode of subsisting the Corps, and how far, and upon what Terms the same can be done within the Province, under your Government, particulars of all which, you will communicate to me by the very first opportunity.

I am, Sir,

Your most obedient,

Humble servant,

HENRY DUNDAS.

(Similar letter sent to the Lieut.-Governor of New-Brunswick, Series C., Vol. 718, page 1).

No. 2.—Mr. DUNDAS TO BRIGADIER GENERAL OGILVIE.

(*Canadian Archives, Series C. Vol.* 245, *page* 1.)

(Secret.)

Whitehall, 15th February, 1793.

Sir,—I am to signify to you His Majestys Commands that, upon the receipt of this letter, you lose no time in embarking with the Regiment now remaining at Halifax and attacking the Islands of St. Pierre and Miquelon. With this view you will immediately consult with the Officer Commanding His Majestys Ships on the Halifax Station, who will be directed to cooperate with you in carrying into execution the Service in question and to assist you with such part of His Majesty's Naval Force, now there, as shall be judged requisite for that purpose.

You will at the same time make such use of the Detachment which may be in Newfoundland, as in your Judgement will best promote the object of this letter.

I am, Sir, &c.,

HENRY DUNDAS.

Brigadier General Ogilvie.

No. 3.—LIEUT. GOVERNOR MACARMICK TO BRIGADIER GENERAL OGILVIE.

(*Canadian Archives, Series C. Vol.* 366, *page* 48.)

Sydney, Cape Breton, 21st April, 1793.

Sir,—I had the honour of writing to you by Mr. Knox of the 21st Regiment on the defenceless State of this Island; in addition to which I think His Majesty's Service and the eventual safety of this Island require me to transmit to you a detail of the Sentiments which I had the honour to express to Lord Dorchester in a Report, Dated 25th August, 1790, which His Lordship required me to make of the Strength and State of this Island, and of the mode I proposed to exert its force in Case of necessity to the best advantage which Report I also transmitted to His Majesty's Principal Secretary of State.

Capt. Cox is preparing a Plan of the Island which will be sent in a vessel in a few days from hence as tending to illucidate and make plain the several Objects stated in the said Report. I consider it very fortunate that Captain Cox remains here as I am certain of experiencing his best assistance and Services in Case any Operations of Offence or Defence should be directed for the safety of this Island, and

I shall esteem myself highly honored if my recommendation shall influence you to favor him with an appointment to that purpose, which should a War take place will probably be in your power.

I have the honor to be with regard, Sir,

Your most obedient and most humble servant,

WM. MACARMICK,

Lt. Gov. of Cape Breton.

P.S.—I have the honor to inform you that the number of persons liable to serve in our militia on Sydney 143, Mount Grenville, 243, Louisbourg, 37, Total 423, in addition to which we have generally 500, who come from Jersey and other fishermen non residents.

The Plan mentioned accompanies this Duplicate.

Brigadier General OGILVIE,

Commanding His Majesty's Troops,

Nova Scotia, &c., &c., &c.

No. 4.—BRIGADIER GENERAL CARLETON TO MAJOR GENERAL CLARKE.

(*Canadian Archives, Series C. Vol.* 718, p. 4.)

FREDERICTON, May 4th, 1793.

SIR,—I have the honor to inform Your Excellency that I have received His Majesty's orders to take the necessary steps for raising and forming from amongst the Inhabitants of New Brunswick a corps not exceeding six hundred men to be divided into six companies with the usual Establishment of Commissioned and non-Commissioned officers, and that His Majesty has been graciously pleased to appoint me Colonel of the said Corps.

I have in consequence thereof appointed several Officers from the Half-Pay List as directed by the Secretary of State and they are employed on the recruiting service in various parts of the Province. And as it appears necessary for the service that some officer should be appointed to muster and inspect the recruits which may be enlisted in this Corps I have directed Edward Winslow, Esq., Muster-Master-General of the late Provincial Forces to perform this duty (but without any addition to his half-pay) until the pleasure of the Commander in Chief shall be known.

I have the honor to be, Your Excellency's

Most obedient humble servant,

THOS. CARLETON,

B. General.

His Excellency

Major General CLARKE, &c., &c., &c.

No. 5.—BRIGADIER GENERAL OGILVIE TO MAJOR GENERAL CLARKE.

(*Canadian Archives, Series C. Vol.* 245, *page* 3.)

HALIFAX, 6th May, 1793.

SIR,—I have the honor of inclosing copy of a letter from the Right Honourable Henry Dundas, which I received on the 30th ultimo by Captain Affleck of His Majesty's ship "Alligator."

In obedience to His Majesty's Commands, I immediately directed a Detachment of the Royal Artillery, of the 4th and 65th Regiments, amounting to Three hundred and fifty rank and file, to hold themselves in readiness for embarkation, and took up three Transports for their conveyance. And having consulted with Capt Affleck commanding his Majesty's ships, the above Detachment are to embark to-morrow morning on board the "Alligator" and transports, and I shall proceed without loss of time to the place of destination.

I was induced to take the Major, and part of the 65th on this Service (there being no Field Officer with the 4th), three companies of the former Regiment cannot arrive here in less than three or four weeks. His Majesty's ship the "Alligator" is the only convoy, it is therefore not possible for them to proceed to the West Indies untill my return, and the Service is over.

By this arrangement also all delay is prevented that might arise by sending for the troops to meet us from Newfoundland.

I have the honor to be with great respect, Sir,
Your most obedient humble servant,
JAMES OGILVIE,
Brigadier General.

No. 6.—RETURN OF OFFICERS OF THE KING'S NOVA SCOTIA REGIMENT.

(*Canadian Archives, Series C. Vol.* 366, *page* 37.)

HALIFAX, 3rd July, 1793.

Lieutenant-Colonel Sam. V. Bayard.
Captains—Alexander Howe.
Christopher Aldridge.
James Moody.
Lieutenants—Winckworth Tonge,
Thomas Fitzsimons,
Alex. Sutherland,
John Mc. Colla,
Job Bennett Clarke,
John Weeks,
Geo. Antho. Kysh,
John Fraser,
} From half pay.
Charles Thomas,
Thomas Morris,
De Lancey Barclay.
} Promoted from the Ensigns.
Ensigns—Michael Scott,
Stephen Bayard.
Brenton Haliburton.
Alexander Burgoyne Howe.
Chaplain—Rev. Robert Hauser.
Adjutant—Winckworth Tonge.
Quarter Master—John Allen.
Surgeon—John Fraser.
Mate—John W. Clarke.

J. WENTWORTH, *Col.*

The rank of the officers on half pay not known.

No. 7.—LT. GOVERNOR MACARMICK TO BRIGADIER GENERAL OGILVIE.

(*Canadian Archives, Series C. Vol.* 366, *page* 63.)

SYDNEY, CAPE BRETON, 4th July, 1793.

SIR,—I had the honor to receive your two letters of the 23rd ultimo, and also three hundred stand of Arms with Ammunition and Accoutrements by the Treasury Schooner Lady Apsley; and I beg you will do me the honor to accept my acknowledgements for the ready attention you have had the goodness to pay to my representation. I have requested the Barrack Master here to permit the ammunition to be lodged in the Magazine, and the Arms in a Barrack room.

I have the honour to enclose an Estimate of the Expense that will necessarily be incurred to render serviceable the few Cannon we have, and I request you will have the goodness to determine in what manner the charge is to be made to Government, and also to supply me with proper ammunition agreeable thereto. There are some large dismounted Cannon at Louisbourg but they cannot be brought for the defence of this place, unless some Captain of a Man-of-War will have the goodness to do it. But if we could be supplied with Two Light-Field Pieces we should not only be able to protect ourselves from insult from Privateers, but to preserve the Island against a superior Force; although we should hardly be able to attempt to defend the Town of Sydney against a Man-of-War.

The Commodore having informed me that he shall leave this Coast for some time, the Emigrants from the French Islands still hovering about this neighbourhood, and the native Acadians by no means showing a disposition to comply with the Militia Ordinance, prevent me from immediately trusting the Arms out of my own possession; nor shall I be induced to do so, until fully satisfied of their Loyalty and firm attachment to the British Government.

I am infinitely obliged by your offer to transmit my recommendation of Captain Cox to Major General Clarke who I flatter myself will instantly perceive how very essential it is, even in preparatory Exertions to have the assistance of so able and Experienced an Officer and Engineer in a settlement where the Governor is left without a single Soldier, and whose goodness I trust will devise some mode to compensate Captain Cox for his assistance to me and to the King's Government at this Critical period.

I have the honor to be with great regard, Sir,
Your most obedient and very humble servant,
WM. MACARMICK,
Lt. Governor of Cape Breton.

P.S.—If no light Field pieces can be spared, any other light Ordnance, which would enable me to have four Guns at the Mines and four at Sydney.

There not being any Surgeon here I request you will have the goodness to cause a small suitable Medicine Chest to be made up and sent to me which I will deliver to Doctor Smith, on his arrival—replace or pay for as you shall judge most proper—our situation in this respect being truly alarming.

Brigadier General OGILVIE,
Commanding His Majesty's Troops,
Nova Scotia.

No. 8.—BRIGADIER GENERAL OGILVIE TO MAJOR GENERAL CLARKE.

(*Canadian Archives Series C, Vol.* 366, *page* 50.)

HALIFAX, 6th July, 1793.

SIR,—A short time before I embarked for St. Pierre, I received from Lieutenant Governor Wentworth, a letter informing me that he had received His Majesty's Commands to raise a Provincial Regiment in Nova Scotia, and inclosing me (No. 1) Extracts of a letter from the Right Honourable Henry Dundas of the 8th February. The Governor at the same time requested Barrack bedding and utensils might be furnished for twenty five Men then raised, which I acquainted him should be complied with, but that having no official directions whatever on the subject of the Corps, I judged from the purport of the Extracts sent me that they were to be paid and provided with Provisions in a mode different from the King's Troops, and that I should wait the orders of the Commander in Chief.

On my return to this place, I received Your Excellency's Commands in a letter of the 25th May, directing me to furnish Provisions to the Provincial Corps, which I acquainted the Governor would be done, but by next Post, and previous to any

issue, your letter of the 3rd June came to hand, countermanding the orders, which I communicated to Governor Wentworth, when I received his letter No. 2 with the Extract, No. 3, and in answer informed him, that as the orders were explicit, it was not in my power to dispense with them.

I had not then received any Return of the State of the Regiment, which I learned amounted to nearly Four hundred Recruits; raised during my absence. On the 3rd instant I received a letter from the Governor, inclosing a State of the Regiment, copy of which is inclosed, No. 4, but as none of the Extracts communicated to me gave any information with regard to the officers, I thought it necessary to write to the Governor on the subject, copy of which letter, No. 5, is inclosed, which will explain my sentiments to Your Excellency, and, in answer, received the letter, No. 6, with a duplicate of the Secretary of State's dispatch of the 8th February, No. 7, and a Return of the names of the Officers, No. 8. I then acquainted the Governor that as I did not conceive myself authorized from the purport of the Secretary of State's letter, or from the reasons mentioned in his, to alter my opinion; on the contrary, it appears evident that His Majesty reserved the Appointment of the Field officer; and Commissions were to be granted, only to the other officers from half Pay; as that was not the case, I declined allowing them to rank with the King's Troops, until I received your Orders (to whom I should submit the whole) or heard from England,—but at the same time desired, that such of the Officers as were competent, and the Men fit for service might assist in taking the duty of the Garrison, with which Governor Wentworth readily complied,—the whole receive the usual allowances, and are all ready in case of any emergency.

I have the honor to be with great respect, Sir,
Your most obedient humble servant,

JAMES OGILVIE,
Brig. Genl.

No. 9.—BRIGADIER GENERAL OGILVIE TO MAJOR GENERAL CLARKE.

(*Canadian Archives, Series C. Vol.* 366, *page* 55.)

HALIFAX, 6th July, 1793.

SIR,—I have the honor to acknowledge your letter of the 8th ultimo, and have sent a supply of Arms and Ammunition to Cape Breton, and shall likewise forward the same to the Island St. John by the first opportunity, and communicate to the several Lieutenant Governors, your Instruction with regard to the deposit of Arms.

I inclose copies of Governor Macarmick's letter to Lord Dorchester 1790, with His Lordship's answer for Your Excellency's information, and also a Duplicate of a letter from Governor Macarmick to me of the 21st April last.

I shall transmit as soon as possible, an estimate of the Workmanship and materials employed in repairing the Embrazures for the Guns, and mounting them, which has been performed with all possible œconomy, and can amount to a trifling sum only.

I have in obedience to your directions issued a Proclamation offering a pardon to all Deserters who shall surrender themseives on or before the 1st September next; —I have reason to believe there are a considerable number of Deserters now in the Provincial Corps. I shall take no farther steps with them should they give themselves up, but having their names registered, and the Corps in which they have served, untill I receive your farther commands; no doubt many of them may be desirous of serving in the regular Regiment, the service certainly will suffer by their continuing where they are, and I believe it will be a general benefit if they were sent out of the Province.

If I was to presume to give my opinion, it would entirely coincide with yours, that if a pardon was granted to Deserters on condition of serving in the Provincial Corps, it would have been highly prejudicial to the Service, and operated as an encouragement to Desertion from the regular Troops.

I have the honor to be with great Respect, Sir,

Your most obedient humble servant,

JAMES OGILVIE,

Brig. Genl.

Major General CLARKE, &c., &c., &c.

No. 10.—LIEUT. GOV. MACARMICK TO LORD DORCHESTER.

(*Canadian Archives, Series C., Vol.* 366, *p.* 42.)

Extract of a Letter written to His Excellency Lord Dorchester by Lieutenant Governor Macarmick dated 25th August 1790.

"I consider Your Excellency's views, at present, to be directed only to a defence "equal to the number of men we may probably be able to collect. Effectually "to defend this Town and Harbour would require a very large force with strong "Works on Sydney Point—Point Edward and the two Bars. A Combination of "natural advantages centre in Mount Grenville to make it eligible for the chief Post "of defence; a Fortification can be speedily and with small Expense erected to render "it tenable against a very powerful and superior Enemy. Upon firing a Gun and "lighting a Beacon on Mount William all Vessels from Main a Dieu to Cape North "could assemble in St. Andrew's Bay in Lake George near to the intended Road at "Head of the South-West branch of Sydney River to which Bay by cutting only "about six miles of Road a Quick and Secure removal of the Troops and Stores "would be obtained and also from thence to the Istmas on the lake side at Mount "Grenville. All Vessels to the Southward and Westward upon a signal from Mount "Grenville might also safely repair to the Isthmas on the side of the Harbour because "from the intricacy of the entrance into the Harbour and the passage through "between the Richmond Island and Cape Breton none but Skilful Pilots would "venture to Navigate a Vessel. At this place all the cattle of the Island would be "in safety and find Fodder and all the Vessels and Craft lay in security under the Guns "of the Fort, for no large ships can come near enough to do injury, from hence also "should resistance at length prove fruitless a retreat might be effected to Nova "Scotia, and our Force strengthen that of Quebec or Halifax.

"This mode of operation is the best I can devise in the present infant State of "the Colony for keeping possession of the Island against a powerful enemy.

"Should Your Excellency not think it necessary to send an Engineer to this "Island Captn Cox of the 21st Regiment who has very kindly drawn the accom-"panying Plan in the absence of the Deputy Surveyor General, and has served nine "years in the Royal Artillery, would, if honored with Your Excellency's appointment "to act in the Engineer department assist me in carrying into Execution any mode of "Fortification Your Excellency may deem it expedient to Command."

No. 11.—LORD DORCHESTER TO LIEUT. GOV. MACARMICK.

(*Canadian Archives, Series C., Vol.* 366. *page* 45.)

QUEBEC, 12th June, 1790.

SIR,—I have received your letter of the 16th february, and cannot but approve of your attention to the defence of the Island under your Government. It is necessary that measures for that purpose should be preconcerted, and matured for execution. In doing this, the internal strength of your Island, the number of your Militia, their Arms, and the disposition of their minds, are chiefly to be taken into consideration. Ships of war and Troops, being under the Orders of such Commanders as the

King shall be pleased to appoint, are not the objects of the Report I at present require. You cannot dispose of their Forces, but an accurate statement of your own strength may be of great use to them in their general arrangement and Plan of operations. As the Island may be left to its own strength, for a time at least it will be the more necessary that all proper steps be taken by you for putting your Militia in the most respectable posture of defence their numbers will admit.

You will be pleased to inform me of the laws and regulations for your Militia and the state of their strength, with all such Remarks as will enable me to judge of your Force and the mode you propose for executing it to the best advantage. I take for granted that communications to this effect have been made to you by Lieutenant Governor Parr, in consequence of directions from me of the 9th January 1788.

As soon as I am possessed of these necessary particulars, I shall be able to judge what further directions may be proper in regard to your late general request of Cannon, Arms and Amunition, reported to me by Brigadier General Ogilvie, which cannot be taken into consideration without a more particular detail of the quantity and quality, the use intended, and the degree of safety which the Island may afford for a deposit of that nature.

By your State of the Settlements of Cape Breton of the 28th November 1787, the last which has come to my hands, the number of Men, as far as they are discriminated, appears to amount only to One hundred and thirty-five, exclusive of Sixty Servants, but observing you were at that time not fully informed in regard to a part of the Island, I hope you will now be able to give an accurate account of the whole.

I am, with regard, &c.,

Lieutenant-Governor MACARMICK. DORCHESTER.

No. 12.—BRIGADIER GENERAL OGILVIE TO MAJOR GENERAL CLARKE.

(*Canadian Archives, series C., Vol.* 366, *page* 58).

HALIFAX, 6th July, 1793.

SIR,—I am honored with your letter of the 25th May, and had, agreable to your Orders signified to me, acquainted Lieutenant-Governor Wentworth that I should issue Provisions to the Corps raising by him, but previous to its being necessary, your letter of the 3rd June came to hand, when I suspended that Order, until your pleasure should be further known.

No orders have yet been transmitted to me, either from the Secretary of State, or the War Office, with regard to that Corps, and from the communications sent me by Governor Wentworth, which I shall have the honor of more fully stating in a separate letter of this date, I conceived that the Corps was to be subsisted and provided for in a mode different from that of the King's Troops; I shall, in obedience to your orders issue to them the several Barrack allowances in the same proportion as the Established Regiments in this district.

I am sorry Mr. Putnam's Appointment did not take place, as I apprehended it would have been a benefit to the service;—the Gentleman who has succeeded is nevertheless very capable of the Business, but of course requires experience.

No King's Ship has offered here for Quebec, nor is there at this time any probability of one being procured, it has not been in my power therefore to comply with your requisition for sending Cash in whole, or in part; in the mean time it is necessary for me to state, that although the Military Chest here has been strong, it was principally increased upon the idea that a War would require more Expenses, and the difficulty of procuring Cash would be greater, both which circumstances have already taken place, a considerable Contingent Expence having been incurred by hiring Vessels to convey two Regiments to the West Indies, and for the Troops on the Expedition to St. Pierre, and some large Prizes having been brought into this Harbour, the Speculators here have also disposed of their Cash, and at this time the Deputy Paymaster General reports to me that none is to be had for Bills, even at par.

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Under these circumstances, therefore, I beg leave to submit to you how far it may be proper to send the Six thousand pounds to Quebec, should an opportunity offer in the Autumn. I shall transmit a rough sketch of the Cash in the Chest as soon as the hire of the Transports is paid, which is now in course.

I have the honor to be with great Respect, Sir,
Your most obedient humble servant,
JAMES OGILVIE,
Brigdr. Genl.

Major General CLARKE, &c., &c., &c.

No. 13.—LIEUT. GOVERNOR MACARMICK TO BRIGADIER GENERAL OGILVIE.

(*Canadian Archives, Series C., Vol.* 366, *page* 67).

SYDNEY, CAPE BRETON, 8th July, 1793.

SIR,—I have the honor to acquaint you that I have lately received a Report from the Major Commanding the Militia at Arichat or Conway Harbour that a great number of the Acadian Inhabitants of that place have refused to serve in the Militia as required by an Ordinance of the Province, and that a spirit of disaffection, and disloyalty is evident spreading amongst them. I also hear that they are attempting to poison the minds of the Indians whose chief residence is in that neighbourhood. I therefore hope as soon as His Majesty's Service will admit that you will have the goodness to allot a small Detachment of Troops there to assist the Civil Magistrate in preserving the Peace of His Majesty's Colony which will be esteemed an additional favor conferred on him who has the honor to be with great regard, Sir,

Your most obedient and most humble Servant,
WM. MACARMICK,
Lt. Governor of Cape Breton.

Brigadier General OGILVIE.

No. 14.—BRIGADIER GENERAL OGILVIE TO FRANCIS LEMAISTRE.

(*Canadian Archives, Series C., Vol.* 366, *page* 69).

HALIFAX, 30th July, 1793.

SIR,—I have the honor of enclosing for the information of the Commander in Chief copies of two Letters I received from Lieut. Governor Macarmick; I acquainted him that I could not without Orders, send him Field Pieces, but that when an opportunity offered, some small Iron Guns should be sent; that I should submit the Estimate annexed to his Letter of the 4th instant, and that it was impossible to send any medicines, there being none in the Hospital Stores here. And from the present State of the Garrison of this place, I could not comply with his request for a Detachment of Troops.

I have the honor to be, Sir,
Your most obedient servant,
JAMES OGILVIE,
Brig. Genl.

FRANCIS LEMAISTRE, Esq.

No. 15.—BRIGADIER GENERAL OGILVIE TO MAJOR GENERAL CLARKE.

(*Canadian Archives, Series C., Vol.* 366, *page* 70.)

HALIFAX, 9th September 1793.

SIR,—I have the honor of your letter of the 17th Ultimo, and shall give directions for Provisions being issued to Lieutenant Governor Wentworth's Provincial

Corps as soon as the payment of that Regiment can be arranged in such manner that stoppages can be made from them for the same, as they are not to be paid from the Military Chest, but the Governor has directions to fix on the Deputy Paymaster General as Agent, who is to draw Bills on the Treasury.

By the late Packet from England, Lieutenant Governor Wentworth received from the Secretary of State, a letter, confirming the former order with regard to Officers being taken from half Pay, and signifying that Major Cairny is to succeed to the Lieutenant Colonelcy, and Major Bayard to be Major, but I have received no farther information on the subject with regard to the Lieutenant Governor's making these Appointments, or any alterations in the former Return of Officers sent.

I readily acknowledge those Officers' Commissions, appointed under the restrictions, but do not find myself at liberty to approve of those appointed and promoted to Lieutenancies and Ensigncys who never have been in the Army as well as half Pay Lieutenants appointed Captains, conceiving it would be doing great injury to the King's Service, and as I am well convinced there are a number of half Pay Officers ready to serve; in the meantime, all the Men, and the first mentioned Officers, do Duty in the Garrison.

I take the liberty of again requesting to know what steps are to be taken with the Deserters in the Governor's Corps who gave in their names on the offer of pardon, if they are to remain in it; or to have their choice to serve in that Corps, or the 4th Regiment.

I am to request also Your Excellency's commands and directions in respect to passing and Mustering the new Corps.

I have the honor to be, with great Respect, Sir.
Your most obedient and humble servant,
JAMES OGILVIE,
Brig. Genl.

Major General CLARKE,
&c., &c., &c.

No. 16.—BRIGADIER GENERAL OGILVIE TO FRANCIS LE MAISTRE.

(*Canadian Archives, Series C., Vol.* 366, *page* 73.)

HALIFAX, 23rd September, 1793.

SIR,—I have the honour of your letter of the 29th ultimo on the subject of the application for the removal of the Gunpowder from the Magazine of the Eastern Battery.

Upon the receipt of General Clarke's letter of the 2nd March, I directed the Engineer to frame a Report of the state and situation of the Magazine, which, from the Expedition to St. Pierre, and in consequence of the War, has not yet been prepared and communicated to me, and which from the latter circumstance, would then have been of little avail, as I found it necessary soon afterwards, to take the measure of removing the Gunpowder, as I have already reported to the General, and likewise as Governor Wentworth had represented immediately to the Ministers at home the Addresses of the Council and Assembly, I imagined I should have received, early, some Instructions thereon from them, when I should have stated my opinion with regard to the Magazine, which by no means coincided with theirs, either in point of situation or danger, in time of Peace, as will appear by the copy of my letter to the Duke of Richmond, transmitted by this Post to General Clarke.

I shall nevertheless by the first opportunity transmit to the Secretary at War and to the Commander-in-Chief Copies of the Engineer's Report, which I have now directed him to prepare.

I shall give directions for the Return of the Corps raising by Lieutenant Governor Wentworth being inserted in the general Monthly Returns, in the meantime, I inclose for the information of the Commander-in-Chief Returns of the Men and Officers of that Corps, and am to observe that in the latter, there are very considerable

alterations from the Return I formerly sent, without any explanation with regard to them, although both Captains and Subalterns are omitted, and others returned in their room.

By the Packet which arrived two days ago, I received Orders from the Lords of the Treasury for issuing Provisions to that Regiment, which had been anticipated in obedience to General Clarke's directions.

I have the honour to be, Sir,
Your most obedient humble servant,
JAMES OGILVIE,
Brigadier General.

FRANCIS LE MAISTRE, Esq.

No. 17.—BRIG. GENERAL CARLETON TO MAJOR GENERAL CLARKE.

(*Canadian Archives, Series C., Vol.* 673, *page* 19.)

FREDERICTON, 24th Sept., 1793.

SIR,—I am honored with your Letter of the 28th August inclosing an Extract of a Letter from Mr. Hammond with Information of the arrival of a Naval Force of the Enemy upon this Continent.

Intelligence of this Event had been, as you expected, received here, and had occasioned a serious alarm in the City of Saint John, upon which I repaired thither, and thought it necessary to throw up some works for the defence of that place. This has been accomplished in such manner as I think will be sufficient to secure the Town and Harbour against any Naval enterprize that might otherwise have been apprehended; and I have the satisfaction to add that this service has been attended with no expence to Government.

I have the honor to be, Sir,
Your most obedient humble servant,
THOS. CARLETON.

His Excellency
Major General CLARKE.

No. 18.—LIEUT. GOVERNOR WENTWORTH TO LIEUT. GOVERNOR CARLETON.

(*Canadian Archives, Series C., Vol.* 673, *page* 13.)

HALIFAX, NOVA SCOTIA, 11th Oct., 1793.

SIR,—Altho' it is probable you may have received intelligence, yet lest it may be otherwise, I have the honour to inform you, that by various, and concurrent advices, to the 1st inst. from N. York, we learn, that an enterprize was almost ready for Sea, of the whole french Armament there. They had 2,400 troops, among which 100 irish men lately arrived and a Banditti of miscreants who refused obedience to the U. States, together with 100 deserters from Galbaud's Corps. They have 40 horses and 16 ps. field Artillery, are all badly cloathed. The destination not known, but supposed to be against His Maj's. american Provinces. Most probably this place may be their object, wherefore B. Gl. Ogilvie is taking defensive measures, and I have ordered 1,000 Militia from the interior Countys, to Halifax, with all possible dispatch. If any thing further transpires, I will lose no time in giving you the intelligence. No news from Europe or of Adml. Gardners fleet.

I have the honour to be, with the greatest respect, Sir,
Your Excellency's most obedt. servt.,
J. WENTWORTH.

His Excellency
Lieut. Governor CARLETON.

No. 19.—BRIGADIER GENERAL CARLETON TO LORD DORCHESTER.

(*Canadian Archives, Series C., Vol.* 673, *page* 15.)

FREDERICTON, 21st October, 1793.

MY LORD,—I have the Honor to inclose a Letter which I have this day received from the Lieutenant-Governor of Nova Scotia communicating intelligence respecting the preparations now making by the French at New York.

Reports of a similar nature have been repeatedly circulated here in the course of the last Summer and (although I did not suppose the Province of New Brunswick was the object at which the French aimed) I considered it my duty to guard as far as possible against any desultory attacks. For this purpose I ordered Forty Artillery men and a detachment consisting of about Eighty men of the King's New Brunswick Regiment commanded by Major Murray, to St. John having Captain Clinch's Company at the Frontier of Passamaquoddy and the remainder of that Regiment at this Place and the upper Posts. I also called out and reviewed the Militia of the City of St. John amounting to 511 effective Sergeants Rank and File who readily undertook to prepare fascines and to throw up some temporary Works to cover the Guns which were placed in advantageous situations, for the defence of the Harbour. In the present situation of the Province it was not possible for me to adopt any other measures. The want of Arms effectually prevented me from availing myself of the Militia of the Country.

The recent intelligence communicated by Governor Wentworth has induced me to send express to Brigadier General Ogilvie for two thousand stand of small arms to be forwarded by the way of Windsor to which place I have ordered a small Vessel to receive them. I am also in hopes that Brigadier General Ogilvie will expedite the sending the Ordnance Stores enumerated in the return transmitted by Your Lordship a requisition for which was sent immediately upon the receipt of Your Lordship's order.

I shall reinforce the Post at St. John by every means in my power, and am on the point of setting out myself for that place.

I have the Honor to be, with great respect, my Lord,
Your Lordship's most obedient humble servant,
THOMAS CARLETON,
Brigadier General.

The Right Honorable
Lord Dorchester,
&c., &c., &c.

No. 20.—BRIGADIER GENERAL OGILVIE TO FRANCIS LE MAISTRE.

(*Canadian Archives, Series C. Vol.* 366, *page* 76.)

HALIFAX, 23rd December, 1793.

SIR,—I have the honor of communicating in order to be laid before His Excellency Lord Dorchester, the following Extract of a letter from Lieutenant Governor Wentworth, dated 23rd November last.

"In a letter dated Whitehall 3rd October 1793 from the Right Honorable "Henry Dundas, He is pleased to inform me, that altho in his letter to me of the "6th July last he had communicated to me the grounds on which His Majesty "thought proper to withhold the distinction I had solicited for the Provincial "Regiment of Nova Scotia, yet, in consequence of the zeal, activity and *good* "*conduct* of the Corps, and of the regret felt at the prohibition, It is permitted us "to retain the original appellation of 'The Royal Nova Scotia Regiment,' which "mark of His Majesty's favor, I have no doubt will meet your approbation, that the "Regiment should be availed of."

I acquainted the Lieutenant Governor that I should lay it before Lord Dorchester, and that it was my duty to obey His Majesty's Commands.

I cannot help observing to you, Sir, that the line of communication appears very extraordinary.

I have the honor to be, Sir,
Your most obedient humble servant,
JAMES OGILVIE,
Brigr. Genl.

FRANCIS LE MAISTRE, Esq.,
Military Secretary.

No 21.—LIEUTENANT GOVERNOR WENTWORTH TO MAJOR GENERAL OGILVIE.

(*Canadian Archives, Series C. Vol.* 366, *page* 79).

HALIFAX, 21st January 1794.

SIR,—I have the honour to represent to you, in conformity to the same mentioned some days since that Mr. Secretary Dundas, in a letter to me dated 31st October 1793, writes me the following paragraph, "I am to signify to you His Majesty's pleasure that you do raise two more companies of 100 men each to be added to the Regiment. These Companies in consideration of the particular circumstances under which Captains Howe and Aldridge stand at present, may be given to those officers." In obedience to these Instructions I have taken measures for recruiting; and have appointed Captains Howe and Aldridge accordingly. I shall in a few days beg leave to report the additional Subalterns appointed.

In Mr. Secretary Dundas's letter to me dated 8th November 1793, I am instructed relative to the French Prisoners as follows. "If no opportunity has presented itself "for sending to Europe the Prisoners from St.-Pierre and Miquelon now at Halifax, "you will lose no time in taking up vessels on the most œconomical terms without "regard to their particular size or burthen, for the conveyance of the said Prison-"ners to Mr. Dobree, Agent for the Prisoners at Guernsey, who will receive Instruc-"tions concerning them." In a second letter of the preceding date, relative to the Prisoners and Inhabitants on the Islands of St.-Pierre and Miquelon, I am directed as follows:—"With respect to the Inhabitants, you will consider whether, with such "precautions as your judgment shall suggest to you, the useful and industrious part "of them may not be permitted to remain in such part of Nova Scotia, as you shall "think proper to assign them. With respect to the Prisoners at St.-Pierre and "Miquelon, you will consider whether if they were suffered to convey themselves "from thence, means would be found of securing His Majesty's Province against any "of them being harboured therein. Having premised thus much, I have only to add, "that should you be able on the spot to adopt such means for obtaining the above "objects, as may be effected with perfect security to His Majesty's Interests, I have "no objection to your communicating with the King's Commanding Officers on the "Halifax Station, and with such other of the King's Servants as you shall think "proper, and to request their concurrence and assistance in the execution of your "designs." In obedience to these commands, I am taking into consideration such previous arrangements, as may expedite their effectual performance, wherein I shall be much obliged for your concurrence and aid.

I have the honour to be, Sir,
J. WENTWORTH.

Major General OGILVIE.

No. 22.—MR. DUNDAS TO MAJOR GENERAL OGILVIE.

(*Canadian Archives Series C. Vol.* 245, *page* 5.)

WHITEHALL, 14th February, 1794.

SIR,—I have received and laid before the King your letter of the 20th ultimo. Such of the Inhabitants of St. Pierre and Miquelon as chuse to retire to the United States, should be permitted to do so, and the French Staff and their families, should of course be included in the Prisoners to be sent to Guernsey. As it is evident from the Militia Returns of Cape Breton, and from other circumstances, that it cannot within itself furnish the means for its own defence and security, I trust that the completion of the Royal Nova Scotia Regiment to 800 Men, which may be expected before the opening of the season, will allow of two Companies of the said regiment being sent to Cape Breton.

I am, Sir, &c.,

Major-General Ogilvie.

HENRY DUNDAS.

No. 23.—BRIGADIER GENERAL CARLETON TO LORD DORCHESTER.

(*Canadian Archives Series C. Vol.* 718, *page* 7.)

FREDERICTON, 2nd March, 1794.

MY LORD,—Having judged that the recruiting service for the King's New Brunswick Regiment would be considerably forwarded by the Establishment of a temporary Post on the Western Frontier of this province, I was induced to appoint a Captain from the Half-Pay List who has extensive connections in that part of the Country. The party is now increased to upwards of sixty men exclusive of a considerable number sent to the Head Quarters of the Regiment.

The only additional expence attending this measure has been the appointment of an Assistant Commissary at 5s. p. day.

I beg leave to submit for your Lordship's consideration the expediency of continuing this post, which must necessarily be attended with some further expence to Government.

I have the honour to be with great respect,
My Lord, your Lordship's
Most obedient servant,

THOS. CARLETON,
Brigadier General.

The Right Honourable
Lord Dorchester,
&c., &c., &c.

No. 24.—LIEUTENANT GOVERNOR WENTWORTH TO MAJOR GENERAL OGILVIE.

(*Canadian Archives, Series C. Vol.* 366, *page* 84).

HALIFAX, 3rd April, 1794.

SIR,—I have the honour to represent to you, that in a letter to me from The Right Honourable Henry Dundas, One of His Majesty's Principal Secretaries of State, relative to the Establishment of His Majesty's armed Snow, The Earl of Moira, It is his directions that from forty to Sixty men from the Royal Nova Scotia Regiment, are to be employed, and do duty on board this Vessel, as I may find occasion for their services, or any part of them, for which reason the maritime complement of men is limited to a smaller number than would otherwise be essentially requisite. In obedience to this arrangement, I beg leave to request your permission

to embark one Sergeant and fourteen Privates on board His Majesty's aforesaid armed Snow, which will be ready to receive them on the 10th instant. Provisions, Arms and Ammunition may be issued to the Detachment on board the Snow, during their services in her.

I have the honour to be, Sir, &c.,
J. WENTWORTH.

Major General OGILVIE.

No. 25.—MAJOR GENERAL OGILVIE TO LIEUTENANT GOVERNOR WENTWORTH.

(*Canadian Archives, series C. Vol.* 366, *page* 86).

HALIFAX, April, 1794.

SIR,—I am honored with your letter of the 3rd instant, representing the directions you have received relative to the Establishment of His Majesty's Armed Snow, The Earl of Moira, from the Right Honourable Henry Dundas, for employing from forty to sixty men of the Royal Nova Scotia Regiment on board that Vessel, as you may find occasion, or any part of them, and in consequence thereof requesting that orders may be given for the embarkation of one Sergeant and fourteen Privates on the 10th instant on board the said Vessel, and that they will be supplied with Provisions, Arms and Ammunition on board.

I should have been glad to have had the honour of an earlier communication on that subject, which would have enabled me to lay it before His Excellency the Governor General and Commander in Chief, and have received His Lordship's Commands and Instructions thereon, and to whom I must necessarily have represented that withdrawing Sixty men, or even a lesser number from the interior defence of this Province, from a Corps which does not exceed three hundred and sixty men fit for duty, and from this weak Garrison, which is hardly equal to the common duty thereof, would, at this critical time, be attended with great inconvenience, and might be with very serious consequences to the King's service.

But from your present application, I shall give orders for one Sergeant and fourteen Privates of the Royal Nova Scotia Provincials, without Arms, being embarked on board the Armed Snow, The Earl of Moira on the 10th instant, and not to receive Provisions &c., in this Garrison from that period, and shall report accordingly to Lord Dorchester.

JAMES OGILVIE,
Major General.

Lieutenant Governor Wentworth,
&c., &c. &c.

No. 26.—LIEUTENANT GOVERNOR WENTWORTH TO MAJOR GENERAL OGILVIE.

(*Canadian Archives, Series C., Vol.* 366, *page* 92.)

HALIFAX, 3rd April, 1794.

SIR,—As there are now a numerous squadron of French Ships and Vessels of War, in the ports of the United States of America, some of them may probably be directed to predatory attempts on the Sea Ports of this Province. The Inhabitants of the County of Annapolis are very apprehensive, that their situation may expose them to be an early object of such hostile enterprise, Being entirely destitute of Cannon, Ammunition, or Fortifications to repel any Invasion, however small the Vessels. The Militia are ready and perfectly disposed to defend their Country, and the Inhabitants at large offer to erect such Works as they suppose to be equal to the occasion; and I have selected two Companies of Sixty men each, who have been

diligently training to the Artillery for nine months past; It is hence my duty to request, That you will be pleased to cause to be issued from His Majesty's Ordnance Office, under your Command, two Iron eighteen pound calibre Cannon and two four pound calibre with the requisite proportion of Ammunition for service, and some small allowance for practice, also sixty thousand Musket Ball Cartridges for the Town and Works at Annapolis. Also, two Iron eighteen pound Calibre Cannon Ammunition, &c., for Digby, together with thirty thousand Musket Ball Cartridges. Also two brass six pounders with fixed Ammunition and necessaries for the Field, for the use of the Nova Scotia Legion, in which is a practised Company of Artillery, commanded by The Honourable Colonel Thomas Barclay. The commanding officers of the Militia and the principal Inhabitants of the district represent to me that they are able, and zealously desirous to defend that part of His Majesty's Province, if supplied with the above recited means, without which they must be subject to continual dread of merciless deprivations and destruction. His Majesty's Armed Snow, The Earl of Moira, will be ready for Sea in ten days, at farthest; and shall proceed directly, with the preceding Military Stores, &c., if it shall appear expedient to you to comply with my request.

I have the honour to be, &c.,

J. WENTWORTH,

Major General Ogilvie.

No. 27.—MAJOR GENERAL OGILVIE TO FRANCIS LE MAISTRE.

(*Canadian Archives, Series C., Vol.* 366, *page* 88.)

HALIFAX, 4th April, 1794.

SIR,—I have the honor of inclosing copy of a letter (No. 1) from Lieutenant-Governor Wentworth to me, together with my answer (No. 2) in order to be laid before His Excellency Lord Dorchester.

Although I do not imagine any farther demand will be made for Troops on this occasion, yet, from the weakness of the Garrison, I thought it necessary to communicate my Answer to His Lordship.

I have the honor to be, Sir,
Your most obedient humble servant,

JAMES OGILVIE,
Major General.

FRANÇIS LE MAISTRE, Esq.,
Military Secretary.

No. 28.—MAJOR GENERAL OGILVIE TO LIEUTENANT-GOVERNOR WENTWORTH.

(*Canadian Archives, Series C., Vol.* 366, *page* 89.)

HALIFAX, 9th April, 1794.

SIR,—I was honored with your letter of the 3rd instant, representing the situation of the County of Annapolis, stating their interior force, and requesting a supply of Cannon, Ammunition, &c., as enumerated by you.

I should be extremely happy to comply with the utmost readiness, with every requisition made on your part for the disposal of the King's Stores and Ordnance, but the present one is of such a magnitude and nature, that upon consideration, I do not feel myself at liberty to direct them to be issued without Orders from His Excellency the Commander in Chief, before whom I shall by the earliest opportunity lay your application at large.

I beg leave in the mean time to observe, that the largest Cannon which have been sent to any part of the Province, are twelve pounders, a size, I presume, perfectly sufficient for every purpose required, and more easily managed (particularly by persons not fully trained to the Service) than those of a larger Caliber—I remark also, that when Annapolis Royal was garrisoned with the King's Troops the largest Guns there were nine pounders only.

In respect to the two brass Field Pieces, with their Ammunition, Stores, &c., it is not customary, I apprehend, and from every information I can receive would be improper for any Ordnance of that description being employed, unless under the direction of some part of the Corps of Royal Artillery, which is even the case when Guns are attached to Regiments of regular Troops; neither is there at this time in Garrison Guns complete of that kind more than sufficient for the Service here, nor is it possible in the present emergency, to permit any of the Royal Artillery to be detached.

I am likewise to observe, that the quantity of Ball Cartridges required are very considerable indeed, and much more than can be spared from hence; at the same time I am to mention that about Eight thousand Ball Cartridges were issued to the Corps of the County of Annapolis, in October last, and carried with them to the Country, which, I am of opinion, previous to a farther supply (as there is an Ordnance Storekeeper at Annapolis) should be collected and put in his charge, to be issued from time to time as the Colonels shall think necessary, and there are now there several barrels of Powder with materials, which he may hereafter be directed to issue, as occasion may require, to be made up in Cartridges by the Artillery Corps there. I should consider it necessary also, that the Ammunition issued to the several other Corps in the Province should be examined, as well as the Arms, the care of which General Clarke recommended in his letter to me of the 8th June, 1793.

I trust there is not much danger in the Bay of Fundy from the French Cruizers, and particularly from ships of great force. I shall, as soon as received, communicate to you Lord Dorchester's directions on the above subject,

And have the honour to be, &c.,

JAMES OGILVIE,
Major General.

Lieut. Governor Wentworth,
&c., &c., &c.

No. 29.—MAJOR GENERAL OGILVIE TO FRANCIS LE MAISTRE.

(*Canadian Archives, series C., Vol.* 366, *page* 95.)

HALIFAX, 12th April, 1794.

SIR,—I have the honour of inclosing, in order to be laid before His Excellency Lord Dorchester, copy of a letter from Lieutenant Governor Wentworth to me of the 3rd instant, with a copy of my letter in answer thereto.

The requisition specifying the several articles, many of which in my opinion were not proper to be sent, I did not conceive myself at liberty to comply with, without his Lordship's approbation; at the same time it was necessary that some supply of Cannon &c. should be sent to those Districts, and Lieutenant Governor Wentworth having made a further application on the 9th instant, I have directed four Iron twelve and two Iron four pounders, with a proportion of Ammunition to be sent to Annapolis and Digby, and there being Gunpowder in store there, I have also directed two thousand Musquet Ball and Material to be sent also, and shall wait His Lordship's further Commands.

I have the honour to be, Sir,
Your most obedient humble servant,

JAMES OGILVIE,
Major General.

FRANCIS LE MAISTRE, ESQ.,
Military Secretary.

(This letter is dated 1793, an error.)

No. 30—MAJOR GENERAL OGILVIE TO LORD DORCHESTER.

(*Canadian Archives, Series C., Vol.* 245, *page* 6.)

HALIFAX, 5th May, 1794.

MY LORD,—I have the honor of acknowledging Your Lordship's letter of the 26th March, signifying that Lieutenant Governor Macarmick having expressed a wish that some portion of the Military might be appropriated to the defence of Cape Breton, Your Lordship had informed him that His Majesty's Ships were best adapted for the protection of the Islands, and that upon his internal strength he must eventually depend to frustrate all Piratical and desultory attempts of the Enemy.

The Right Honorable Mr. Secretary Dundas in his letter of the 8th August last, expressed his hope that the completion of the Provincial Regiment to six hundred Men would enable me to send a small detachment for the protection of Cape Breton, which I represented to him was not at that time possible, and the season improper, but in consequence thereof, and from Lieutenant Governor Macarmick's very strong solicitations since, I had formed an intention on the Troops evacuating St. Pierre of sending a detachment of an Officer and thirty men to Cape Breton, which would of course have been suspended.

By the last Packet I received a letter from Mr. Dundas, copy of which I now enclose,—it will be impossible I apprehend to comply with this Order, as there is no appearance of the Provincial Regiment being completed to Eight hundred Men, but from the Secretary of State's again pressing the Order, I shall direct a Captain and fifty Men of the Provincial Corps to be in readiness to embark for Cape Breton, and shall take measures for sending them when it is in my power to withdraw the Troops from St. Pierre, and if it does not meet your Lordship's approbation they shall be either stopt or brought back.

I have the honor to be,
With the greatest Respect, my Lord,
Your Lordship's obedient, humble servant,
JAMES OGILVIE,
Major General.

No. 31.—MAJOR GENERAL OGILVIE TO LORD DORCHESTER.

(*Canadian Archives, Series C., Vol.* 245, *p.* 9.)

HALIFAX, 5th May, 1794.

MY LORD,—I am to acknowledge the honor of Your Lordship's letter of the 24th February last, directing that the Troops on the Island of St. Pierre should be withdrawn from the considerations Your lordship is pleased to mention, bringing back all the Artillery, Military Stores, &c., and destroying whatever might annoy the Kings Ships, should they return to that Island, and further directing that care should be taken to prevent all irregularities and plundering, and that every precaution should be taken for preserving peace, Justice and good Order to the Inhabitants remaining behind, which I shall not fail communicating to the Commanding Officer there, and instructing him to pay particular attention thereto.

I shall take measures as soon as possible to carry into execution Your Lordships Commands, which I hoped I should be able to have done by this time. Lieutenant-Governor Wentworth, as I had the honor of acquainting your Lordship in my letter to Captain Le Maistre of the 2nd February, had received the Secretary of State's Orders for removing the Inhabitants from those Islands, and I trusted the complete evacuation would have been early made, but as there are no steps yet taken, I shall proceed to give Orders for bringing back the Troops from thence to Halifax, and shall consult thereon with the Commanding Officer of the Navy.

I am further to mention that the Inhabitants of those Islands have been supplied by Government with a proportion of Provisions, which it would be even necessary to continue, should they remain there.

The Right Honorable the Secretary at War has transmitted to me by the last Packet, a copy of a letter from him to your Lordship relative to the Bounty to be allowed to Recruits in North America, and I shall use every means in my power to forward the Recruiting Service. I have also received from the Secretary at War a letter written to him by Mr. Secretary Dundas, inclosing the Copy of a letter relative to a Provincial Corps to be raised by Lieutenant Governor Fanning in the Island St. John, and also for the augmentation of the Nova Scotia Provincials, with two Companies of one hundred men each, amounting in the whole to Eight hundred Men for the Regiment.

I have the honor to be with the greatest respect, my Lord,
Your Lordships most obedient humble servant,

JAMES OGILVIE,
Major General.

No. 32.—MAJOR GENERAL CARLETON TO LORD DORCHESTER.

(*Canadian Archives, Series C., Vol.* 718, *page* 8.)

FREDERICTON, 15th July, 1794.

MY LORD,—I have the honor to inform your Lordship that since the removal of the Troops fron the Western Frontier of this Province the Magistrates and other Inhabitants of the County of Charlotte have represented That "a considerable number "of the Militia of that County have enlisted into Captain Clinch's Company of the "King's New Brunswick Regiment. That those men previous to their enlistment "were most of them resident in St. Andrews (the sea port town) and were upon "any emergency ready to be employed in its defence. That St. Andrews is the "second Commercial town in the Province where many vessels load every year for "Europe and the West Indies and where Goods to a great amount are stored. A "number of large vessels are also annually built there—and they are extensively "concerned in the Fishery and Lumber Trade. That its situation is peculiarly "exposed being at the entrance of the Bay of Fundy, and separated from the State "of Massachusetts only by the small River Scoodiac, so that they are liable to be "surprised and plundered by any small predatory party, which danger they did not "apprehend while a company consisting of inhabitants of the County were stationed "there in immediate readiness to prevent a sudden attack and thereby give the "Militia time to assemble."

They therefore earnestly entreat that I would state these Facts to your Lordship. in the hope that your Lordship will in consideration of the peculiar circumstances attending their situation—allow Captain Clinch's Company to return and remain there for the present.

I have only to add that from the activity and intelligence of Captain Clinch, his company did not suffer in their discipline by their absence from Head Quarters, and that while the Company remained at Passamaquoddy they were particularly active and successful in stopping Deserters, that being the route they usually take in order to make their escape from this Province.

I have the honor to be, with great respect, my Lord,
Your Lordship's most obedient and humble servant,

THOS. CARLETON,
Majr. Genl.

The Right Honble
Lord DORCHESTER,
&c., &c., &c.

NOTE D.

FRENCH REPUBLICAN DESIGNS ON CANADA.

No. 1—CAPT. SCHOEDDE TO CAPT. LE MAISTRE.

(*Canadian Archives, Series C., Vol.* 673, *page* 21.)

FORT ONTARIO, 9th Sept., 1793.

SIR,—By very late advice from New York, I am informed that a Mr. Mezières (for some time Secretary to Genet) is now on his way to Canada, and as it is said with a view of fomenting divisions amongst the Canadians. He travels under a fictitious name, which I have not learned.

I would not presume to trouble Head Quarters but thro' the ordered channel, but want of opportunity to acquaint His Excellency Lieut. Governor Simcoe in time, encourages me to take a liberty, which originates in a wish for the publick service.

I have the honor to be with great respect Sir

Your most obedient and most humble servant,

J. H. SCHOEDDE,

Lieut. 60th Regt. Comdg. at Fort Ontario.

Capt. LE MAISTRE,
M. S.

No. 2.—LIEUT. GOVERNOR SIMCOE TO MAJOR GENERAL CLARKE.

(*Canadian Archives, Series C., Vol.* 673, *page* 20.)

(*Private.*)

YORK, September 24th, 1793.

SIR,—I have just received Information by a Person of credibility, that a French Man of the name of *Mazeres* or *Meziere*, has been sent by Mons. Genest the French Resident in the United States, into Lower Canada. This Emissary is described to me as a young man of great address and properly qualified to disseminate those democratic Principles in which he is a perfect enthusiast. I think it proper to communicate this circumstance to your Excellency and am with great respect Sir,

Your most ob. & most humble, &c.,

J. G. SIMCOE.

To His Excellency
Genl. CLARKE.

No. 3.—LIEUT. GENERAL ROBERT PRESCOTT TO THE DUKE OF PORTLAND.

(*Canadian Archives, Series Q., Vol.* 78, *page* 7.)

QUEBEC, 24th October, 1796.

MY LORD,—It is proper I should inform your Grace that a spirit of disobedience to the Laws has recently shown itself in various parts of this Province, but particularly in the Town and District of Montreal, where it has arisen to overt acts of the most seditious nature.

A Bill which was passed during the last Session of the Legislature, for amending the Roads, &c., has been the chief Pretext for these Proceedings. At Quebec the Opposition to it was soon suppressed and order restored on committing some of the Ringleaders to Prison; but the lenient measures pursued by the Magistrates of Montreal seem to have produced a very different effect. I inclose a copy of a Letter

from them on the subject, and of the answer which I directed to be written to it. The ferment has since subsided in some degree. But it appears to me highly necessary to show that the Laws were not to be outraged with impunity, and that sufficient Energy and Determination existed in the Executive branch of the Government to enforce obedience to them.

The Chief Justice concurring with me in the propriety of the measure, I have issued a new Commission of the Peace for the District of Montreal, in which some of the former Magistrates (who have appeared at least to connive at, if not to encourage the tumultuous meetings of the People) have been omitted; and Persons of more acknowledged Loyalty and firmness substituted in their room.

The Attorney General has taken up this Commission, and he is directed in conjunction with the Solicitor General, to trace the rise and progress of these seditious movements, and to report thereon. I shall not fail to communicate to your Grace the Result of their Inquiries.

I must not omit to observe, that there is great reason to believe, that Emissaries from Mr. Adet, the French Minister in the United States, have found their way into the Province; they have hitherto eluded every endeavour to discover them, and the shelter which is afforded them shows but too plainly the favourable disposition of the lower Classes of the People towards their cause. Mr. Adet himself has lately made a Tour on the Borders of the Province.

To these circumstances I may add, that the recent Intelligence of a French Squadron being on the coast, was received with marked satisfaction by many People here and that it gave evident encouragement to the disorderly proceedings at Montreal.

I have the Honor to be my Lord,
Your Grace's most obedient and most humble servant,
ROBT. PRESCOTT.

No. 4.—REPORT BY ATTORNEY GENERAL TO THE EXECUTIVE COUNCIL AND PROCEEDINGS THEREON.

(*Canadian Archives, Series Q. Vol.* 78, *page* 96.)

SUNDAY, 30th October, 1796.

His Excellency informed the Board that he had found it advisable to issue a new Commission of the Peace for the District of Montreal, and that the Attorney General had been directed to take up the same, and to make enquiry on the spot respecting the seditious movements reported to have recentlytaken place there; that the Attorney General was returned but not having had time to digest in writing the information he had obtained, His Excellency had directed him to attend for the purpose of making a verbal Report.

The Attorney General being called in related to the Board "That from the "Information and Opinions of Messrs. De Lotbinière, McGill, Richardson, Murray, "Papineau and many others Inhabitants of the District of Montreal and from his "own observations, he was well convinced that the District of Montreal, particularly the Island was greatly disaffected to His Majesty's Government. That the "opposition to the Execution of the Road Bill had greatly increased and had shewn "itself in two very recent instances in an extraordinary manner. In one where an "execution had been issued against Luc Berthelot for levying a Fine, the officer had "been most violently and dangerously beaten; and in a second instance where a "similar execution had been issued against one Latour the Sheriff's officer had been "opposed by men to the number of Ten and upwards in Arms, and in both instances "he had been compelled to leave the King's Writ unexecuted.

"That the opposition and disaffection of the Inhabitants appeared to be excited "by French Emissaries of which it was generally believed there were several in the "District.

"That a Pamphlet of a most seditious tendency signed by Adet the Ambassador "from the French Republic to the United States was now in circulation in the "District, that this Pamphlet bore the Arms of the French Republic and was "addressed to the Canadians, assuring them that France having now conquered "Spain, Austria and Italy had determined to subdue Great Britain, and meant to "begin with her Colonies. That she thought it her duty in the first instance to turn "her attention to the Canadians to relieve them from the Slavery under which they "groaned and was taking steps for that purpose. That it pointed out the supposed "advantages which the Republican form of Government possessed over the British "and concluded that in a short time there would be heard only the cry of Vive La "République from Canada to Paris.

"The Attorney General added that he had heard at Montreal that the French "Republic intended to raise Troops in Canada and had actually sent four officers "commissions into the country. That the command of one Regiment was destined "for a Mons. Maigré, Lieutenant Colonel of the Regiment des Sapeurs in the Repub-"lican service. The Attorney General said that he could not take upon himself to "assure the Council that what he had last stated might be relied upon as fact, but "from the channels through which he had heard it, the general opinion and the "complexion of matters in the District of Montreal he certainly believed it to be a "fact.

"The Attorney General being withdrawn His Excellency caused to be read the "following Draughts of a Proclamation and Order in Council.

"By His Excellency Robert Prescott, Esquire, Lieutenant Governor and com-"mander-in-Chief of the Province of Lower Canada, General and Commander in Chief "of all His Majesty's forces in the Provinces of Upper and Lower Canada, Nova Scotia, "New Brunswick and their several dependencies and in the Island of Newfound.

"A Proclamation. Whereas divers evil disposed Persons have lately manifested "seditious and wicked attempts to alienate the affections of His Majesty's loyal "subjects, and have also excited them by false representations to a disobedience of "the Laws, and particularly certain foreigners, being alien Enemies who are lurk-"ing and he concealed in various parts of this Province, acting in concert with "Persons in foreign Dominions with a view to forward the criminal purposes "of such Persons Enemies of the Peace and happiness of the Inhabitants of "this Province and of all Religion, Government and social order. And whereas "it is highly expedient to repress the wicked designs and seditious Practices "aforesaid, and to guard against all attempts to disturb the Tranquillity, Order "and good Government of this Colony, I have therefore thought fit with the "advice of His Majesty's Executive Council, to issue this Proclamation, strictly "charging and requiring all Magistrates in and throughout this Province, Captains "of Militia, Peace-officers, and other His Majesty's good subjects, that they do use "their utmost diligence to discover all and every person who may hold seditious dis-"courses or utter treasonable words, spread false news, publish or distribute libel-"lous papers written or printed, tending to excite discontent in the minds or lessen "the affections of His Majesty's said subjects, or in any manner disturb the peace "and happiness enjoyed under His Majesty's Government in this Colony. And I do "command the said Magistrates, Captains of Militia, Peace officers, and other His "Majesty's subjects, that they severally do seize and apprehend, or cause to be seized "and apprehended all and every person so illegally and perniciously acting as afore-"said, and more particularly all and every such foreigners, being alien enemies as "aforesaid, and who now are or shall be found within the limits of this province, to "the end that by a vigorous execution of the Laws, all offenders may be brought to "such punishment as may deter all persons from the practice of like wicked and "seditious purposes, perpetrated against the order and tranquillity of His Majesty's "Government, and the safety peace and prosperity of his loyal and faithful subjects.

"Given under my Hand and Seal at Arms at the Castle of Saint Lewis, in the "city of Quebec, in the said Province of Lower Canada, the thirtieth day of October, "in the year of Our Lord one thousand seven hundred and ninety six and in the "thirty seventh year of His Majesty Reign."

Province of Lower Canada } To wit.

"At His Majesty's Executive Council of and for the said Province of Lower "Canada, held at the Castle of Saint Lewis, in the city of Quebec, in the said Pro- "vince on Sunday the thirtieth day of October in the year of Our Lord one "thousand seven hundred and ninety six and the thirty seventh year of His Majesty's "Reign.

"*Present.*

"His Excellency the Lieutenant Governor in Council.

"Whereas by an act of the Provincial Parliament of Lower Canada made and "passed in the thirty fourth year of the reign of his present Majesty, intituled "'An Act for establishing regulations respecting aliens and certain subjects of His "Majesty who have resided in France, coming into this province or residing therein, "and for empowering His Majesty to secure and detain persons charged with or "suspected of High Treason, and for the arrest and commitment of all Persons who "may individually by seditious practices attempt to disturb the Government of this "Province,' it is enacted that the Governor, the Lieutenant Governor or person "administering the Government of the said Province, during the continuance of the "said Act, shall and may by his Proclamation or his order made in the Executive "Council of this Province direct that any alien shall depart this Province within "a time to be limited in such Proclamation or order respectively. And whereas "divers Aliens and other evil disposed Persons have lately manifested sedi- "tions and wicked attempts to alienate the affections of His Majesty's Loyal "Subjects, by false representations of the course and conduct of the Persons at "present exercising the supreme Authority in France, and particularly certain "Frenchmen being alien Enemies who are lurking and lie concealed in various "parts of this Province, acting in concert with Persons in foreign Dominions with a "view to forward the criminal purposes of such Persons, enemies of the Peace and "Happiness of the Inhabitants of this Province of all Religion, Government and "Social Order. Now therefore His Excellency the Lieutenant Governor by this his "order, made in the said Executive Council, according to the said Act, doth "order and direct all Persons whatsoever, being subjects of France, who have arrived "in this Province since the first day of May, which was in the year of Our Lord, "one thousand seven hundred and ninety four to depart this Province within the "space of twenty days from the date hereof, and they and each and every of such "Persons, being subjects of France as aforesaid are hereby ordered to depart accord- "ingly, under the pains and penalties in the aforesaid act contained."

Ordered that both proclamation and order be published, for three successive weeks, in the Quebec *Gazette*, and Montreal Papers, in both languages; also that five hundred copies of each be printed in both languages, to be affixed against the Church Doors and other parts of the Towns and Suburbs of Quebec, Montreal and Three Rivers and of the other Parishes of the province.

No. 5.—WILLIAM STANTON TO COL. BARNES, D.Q.M.G.

(*Canadian Archives, Series Q. Vol.* 78, *page* 145.)

St. John's, 18th November, 1796.

Sir,—In consequence of the Hint I received from you, I have for these few Days past been about Rouse's Point at the Lines: but can lay hold of no Papers or Letters. The Information I have picked up is as follows: Towards the middle of last month, Five old Frenchmen or natives of France, came to Rouses from New York, staid there a few Days to consult upon means of getting into the Province with Papers to be distributed amongst the Canadians. On setting off with a guide (one Sneckall), a

Canadian, for that Purpose, they displayed a small national Flag and wore the National Cockade. The Guide led them astray and they returned to Rouses, and after a short consultation dispersed. I don't learn what measures they afterwards adopted, more than that one of them has ever since remained at Rouses, and is now building a small House within half a mile of the Province Line, having Possession of the Land quite to the Line: He is under the Denomination of a Farmer but professes himself to be a Painter by trade. The Land he occupies is no object for a Farmer, and his real intentions may be easily seen through. His name is De Milliere and not De Mouliere as was that of the French general who left the Jupiter some years ago. He talks of Canada being invaded in the spring and that he expects to be a General. That the French are to drop in by 4 and 5 at a time from N. York to mix with the Canadians and that for the present he has taken up his Position merely to forward Information &c. This is what the People about Rouses say of him. In my opinion he is not a man of any information or abilities, is meanly dressed, and without money, as his wife has sold some of her Trinkets to purchase materials for finishing their House. 'Tis said he has got Plans of the Country and receives Packets from Burlington. Should his Person be wanted, he sometimes goes over to Caldwell Manor to purchase Nails, &c., for finishing his Building.

By hearsay information I learn that a Canadian by the name of Laungshaw (as it was pronounced to me), passed into Canada by Rouses four days ago who had been out of the Province Two years, and having been amongst the French might be a suspicious character. He is a short, thick man, sandy hair, tied,—Has a mole on his left cheek just under his Eye, and was dressed when he passed in a claret coloured coat and blue Plush Breeches, said he was going to see his relations at Quebec, and intended passing by William Henry.

There was another Canadian passed also about a month ago who was said to be employed by some of the before mentioned Five French men and that he brought Papers in his Breeches, but I could not get at his name. He has been on Board of some French Cruizers lately, has been two years, out of the Province, his Friends live somewhere near Montreal. He is a Taylor by Trade, a smart looking dark complexioned young man of about 22 years old—black curly Hair which he wears tied—I hope to get at his name soon.

The five old Frenchmen who first came to Rouses had not the appearance of gentlemen or military people, and after returning to Rouses from their unsuccessful attempt to get thro' the woods seemed quite disconcerted and dismounted their cockades.

I am, Sir,
Your most obedient,
very humble servant,
WM. STANTON.

N° 6.—JOSEPH CHEW TO CAPTAIN JAMES GREEN.

(*Canadian Archives, Series, C. Vol.* 673, *page* 63.)

MONTREAL, 28th November, 1796.

DEAR SIR,

My Son-in-Law, Mr. Sistare to whom His Excellency gave permission to come to this Town arrived on Fryday Evening the 25th Inst., while at the Lines he Lodged at the House of a Mr. Rouses on the American side—and being looked upon as a person not to be admitted into this Province a French man of the name of Du Miellie who has a house about half a mile from the Lines on the American side made no difficulty in informing him that he with several others were sent out by the Government of France to be ready to Encourage & Assist in forwarding any Insurrection in this Country, that not lately being assisted with money the Persons who came

with him had shifted for themselves. That he had been where he now is, about two months and had sent two Persons into Town with a Parcel of papers which were sewed in the Lining of their Breeches one of the Two Returned and is now at or near Burlington,—the other is in some part of this Province. Du Miellie shew him the Republican Standard & his wife told him she had three thousand Cockades. Rouses told him that he heard Du Miellie had signed Proclamations and called himself General. While he was at Rouses two Frenchmen came there in a Canoe, and enquired for Du Miellie, saying they had letters for him, that he understood Du Miellie had Brought some Arms, but does not know what Quantity, he saw two Muskets in his House, and two others that Rouses had bought from him. I will endeavour to have this matter more clearly stated by next Post.

I am, Sir,
Your most obedient
humble servant,
JOSEPH CHEW.

Mr. Sistare has reported this affair to Col. Blake.

No. 7.—ROBERT LISTON TO GENERAL PRESCOTT.

(*Canadian Archives, Series Q. Vol.* 78, *page* 208.)

(No. 2,—*Confidential.*)

PHILADELPHIA, 28 November, 1796.

SIR,—From the time that the Government of America discovered a resolution to maintain her neutrality during the present War and to enter into relations of Commerce and friendship with Great Britain, the French Agents in this Country appear to have suggested to their Employers the necessity of obtaining a predominant influence over the United States by means of Threats and Compulsion. And the late, and the present minister seem to have agreed in opinion that the only certain Means of securing this important object was the acquisition of at least a part of the Territories fomerly possessed by France on the American Continent. Fauchet (as appears from his intercepted correspondence) would have contented himself with the recovery of Louisiana. There is reason to think that Adet, on the contrary has recommended that this should be joined with the repossession of Canada. The success of Fauchet's representation begins to be guessed at here, by the rumours that arrive from Paris respecting the Negotiations on the subject lately carried on between the Executive Directory and the Court of Spain, by the resort of the French Emissaries to the South-western Territory of the United States, and by the haughty tone of the late memorial presented by the French Minister here, which seem to indicate a wish to pick a quarrel (though many Persons consider this last circumstance as calculated to influence the election of a new President). How far the projects of Adet have been adopted in France, I cannot pretend to judge; but there is no doubt that a Person nearly connected with him (a Frenchman by birth but who is said to speak English like a native of Great Britain) is lately returned from a tour of several months through Canada, where some of the more indiscreet members of the Democratick Party say he met with considerable success in perverting the minds of the People. They go so far as to assert that three Deputies from the French Inhabitants of that Province are already on their way to Europe with a view to make proposals to the Government of their ancient mother country. The Person himself is also expected soon to set out for France with Dispatches from the Minister here. He is to communicate to the Executive Directory the result of his own operations and of the speculations of Mr. Adet.

I cannot answer for the perfect accuracy of all this Intelligence, and think it probable that Vanity has led the Adventurer in question to over rate the effect he has had in Canada; but I think it my duty to communicate to you what I know.

The man's name is Arrison, but I understand he passed in the course of his travels through Upper and Lower Canada by that of Burns, and called himself an Irishman.

I am with great Truth and Regard,

Sir,

Your most obedt. hble servt.,

ROB. LISTON.

P. S.—I should wish to know whether you are furnished with Hieroglyphicks which might possibly be necessary for our future correspondence; I have got those marked *E* and *F* 1784.

Major General PRESCOTT. R. L.

No. 8.—DUKE OF PORTLAND TO GENERAL PRESCOTT.

(*Canadian Archives, Series C. Vol.* 673, *page* 99.)

(*Extract.*)

WHITEHALL, 20th January, 1797.

A vessel called the Olive Branch, from Ostend, laden with Twenty thousand stand of arms, several pieces of Artillery, and suitable ammunition, and other Warlike Stores, was lately taken and brought into Portsmouth. She had on board *Mr. Ira Allen*, who declared that the cargo was purchased by him in France by the order, and on account of the State of Vermont; but it does not appear, that he had, or has, any document to produce, either from the Governor, or the State of that Province, to justify his assertion. When all the circumtances of this case, and the late attempt of the French upon Ireland, are taken together, they afford reasonable grounds to suppose, that the Vessel and cargo were destined for that Kingdom: It happens however, since her capture, that I have had some communication with Mr. Graham, formerly Aide-de-Camp to Governor Chittenden, but now married and settled in this country. He strongly insinuates, from the knowledge he has, or pretends to have, of Mr. Allen and his designs, that the Stores in question were intended for Vermont, although entirely without the knowledge or connivance of the Governor or Government of that State, with a view to arm the Vermontese, under the direction and command of Persons of that Country, to the purpose of promoting an Insurrection in Lower Canada. For this purpose, Graham told me, that about the latter end of the year 1794, (I think about two years ago), Mons. Genet, the French Minister, had offered 300 Blank Commissions in French to him (Graham), Genl. Clarke & Col. Lyon, all persons related to, and connected with, Governor Chittenden, and the two last, as Mr. Graham stated, the principal persons concerned in promoting this plan; and give them a power of filling them up with the names of any persons they judged proper instruments for carrying that plan into effect. Graham further added that Mr. I. Allen had purchased a large number of feathers for Regimental Hats, in the course of last Autumn, to be sent to Vermont. The object of the Plan Graham states to be, to take possession of Fort St. Johns by force, and afterwards to attempt Quebec by intrigue and stratagem, that they had abettors within the Province consisting both of His Majesty's Subjects and French Emissaries; and Graham intimated his belief, that some of the first description were in Places of Trust under your Government, but did not specify any Individual, except, as I think, the Collector. I trust, in particular, that this insinuation is as unfounded, as it is improbable. Graham did not only not pretend, but seemed positive that neither the Governor, nor State of Vermont were at all concerned in, or aware of this design; and indeed such a presumption would, of itself, have gone a great way to discredit his whole account. I should add that Mr. Graham stated it as his belief, that another vessel, besides the Olive Branch, had sailed from some other part of France, with an equal quantity of Military Stores, destined for Vermont, and with a view to forward the attempts above mentioned. Having thus informed you of all I

learnt in the conversation I had with Mr. Graham, I must leave it to your own judgment and discretion to make such further enquiries, as your local knowledge may lead you to think the circumstances, stated by Mr. Graham, may deserve. I cannot however conclude without recommending it to you to act with all possible secrecy and caution in obtaining the intelligence you endeavour to acquire, in order, first, that the persons concerned (should it appear that there are any such) may not be prematurely apprized of your being aware of their proceeding; and secondly, that no unnecessary alarm or apprehensions may be raised, should Graham's information turn out to be ill founded and unworthy of attention. In truth, the very execution of the Proclamations, you have so judiciously issued, will enable you to investigate this subject, without its being supposed, that you have any additional reasons, beyond the present circumstances of the Province to govern your Proceedings.

No. 9.—DEPOSITION OF MR. BARNARD.

(*Canadian Archives, Series Q. Vol.* 78, *Page* 149.)

Province of Lower Canada, District of Montreal. } To wit:

William Barnard now of the City of Montreal in the District of Montreal and Province of Lower Canada Trader being duly sworn on the Holy Evangelists of Almighty God deposeth and saith that he is a native of Deerfield in the state of Massachusetts one of the United States of America and hath been resident in the City of Montreal aforesaid for Five years past. That on the Twenty-sixth day of July last past he was at Alburgh in the State of Vermont a small Town near the Line of Division between this Province and the United States of America, on his way to this Province when he met with a Person at that Time a stranger to him but who by his conversation he supposed was an American whose name he has since learnt is "McLean" but whose Christian name he doth not know. That the said McLean accosted this Deponent saying it might appear singular his addressing himself to a stranger tho' that was not so much the case as the Deponent imagined altho' this Deponent did not know him the said McLean yet that he the said McLean was well acquainted with him the said Deponent and thereupon the said McLean related to this Deponent several circumstances which had happened to him before he came to settle in the Province of Lower Canada, which convinced this Deponent that the said McLean had taken pains to discover the real situation and circumstances of him the said Deponent, after which the said McLean told this Deponent that he had something of the greatest consequence to communicate to this Deponent in doing which he should put his life in Hands of this Deponent and that it was of the last consequence that he should be secret, the said McLean then said that he was there for the purpose of bringing about a Revolution in Lower Canada. That the Canadians might depend on having everything done for them and if this Deponent would take a part he would make his Fortune, that this Deponent at that time thought it might be a Plot formed by his enemies to ruin him as he had been before threatened, and made answer that he the said McLean had some design against him and that he was mistaken in his man and immediately left him, on parting the said McLean said to this Deponent "when you know more of the Business you will think differently."

That this Deponent saw the said McLean afew Days after in Montreal who then asked him if he had thought of what he had before mentioned to him to which he answered that he had not thought much of it, the said McLean then repeated when you know me you will think in a different manner. That same Day or soon after Deponent went to Thomas McCord Esquire a Justice of the Peace in the city of this Montreal and informed him of all that had passed between him and the Person abovementioned. That this Deponent some time in the Beginning of November last to the best of this Deponent's knowledge the seventh Day of the month, met the said

McLean at Laprairie a village about nine miles from the city of Montreal where after making this Deponent promise that he would not reveal his Name or what he had revealed to this Deponent the said McLean told this Deponent that he was come again to the country upon the same Business he was upon in the Summer. That he was then from Montreal where he had learnt that there were suspicions of what was intended to be executed. That however this Deponent might depend on it this was a conquered country that there would be an army here next spring that no confidence could be placed in the Canadians and that he was very sorry the late Tumults had happened because it hurt their cause. That he wished this Deponent only to use his Influence among them to keep them quiet, and that measures had been taken for that Purpose, to prevent any thing of the same kind happening this Winter. That if this Deponent would take an active part then or at any future Day his Fortune should be made and that any money he might then want was at his command all of which this Deponent refused. He said McLean then begged him to be secret and he should be protected altho he should not take an active Part. That he expected of this Deponent that he should discover what money the Seminary and all the principal Persons in Town had and where it lay who would probably be their friends and who their enemies. That he should be here next Spring but before he would come into this Province he would send for this Deponent to meet him outside the Line. The said McLean then told this Deponent that the Blow would be struck at once at a moment when it would not be expected. That the object in Montreal would be to seize all the money and confine the leading characters but that it was not their intention to take away any Lives.

And further saith not

WM. BARNARD.

Sworn at the city of Montreal The first day of December 1796 before

JOHN RICHARDSON, *J.P.*

No. 10.—DEPOSITION OF GABRIEL SISTARE.

(*Canadian Archives, Series Q. Vol.* 78, *page* 153.)

Province of Lower Canada, District of Montreal. } To wit:

Gabriel Sistare of the Town of New London State of Connecticut Marriner being duly sworn on the Holy Evangelists of Almighty God deposeth and saith, That being about Three Weeks ago detained at the Lines on his Journey to this Province to see his Wife's Father and Mother (which Detention arose from his being a native of Barcelona) he lodged at a Public House kept by a Mr. Rous, where he became in some measure acquainted with a Frenchman who calls himself Du Milliere. That the said Du Milliere, from this Deponent having been refused at first Leave to come into this Province, was led to place a confidence in him that otherwise he would not have done. That from several conversations which passed between them, this Deponent thinks there is no doubt but that he the said Du Milliere carries on a correspondence with Persons in this Country. That he told this Deponent, that he with seven or eight others were sent from France by the French Government, and expected upon his arrival in this country to find the People ready to take arms, and put themselves under his orders, and for which Purpose he had brought with him a Pair of Colours and a number of National Cockades. That this Deponent saw the Colours and had them in his hands, but did not see the Cockades. That it is about two months since the said Du Milliere has been in that Part of the United States, and finding that he was not likely to be immediately successful in his Business, and the pecuniary circumstances of him and his companions getting bad, the other Persons, his said companions had withdrawn to some other Parts, but where, he this Deponent knows not. That the Wife of the said Du Milliere told this Deponent that he had sent Two men into this Province, one

of whom had Papers which were concealed in the Lining of his Breeches. That one of the men who carried in the said Papers had returned and is now at Burlington in the State of Vermont, and the other still in some part of this Province. That Mr. Rous the Landlord of the House where he lodged, told this Deponent that he the said Rous had heard there were Papers sent into Canada. That he did not know their contents, but that the said Du Milliere had therein stiled himself General. The said Rous further told this Deponent that the said Du Milliere had brought some Arms with him, Two of which being muskets he the said Rous had bought, and which this Deponent saw. That this Deponent does not know the name of the man who brought these Papers into this Province and who still remains therein. That the said Du Milliere has purchased a small piece of ground about Half a mile from the Lines, on which he has built a small House, to be convenient in case anything of importance should happen. That during this Deponent's stay at the said Rous' Two men arrived with a Letter for the said Du Milliere but from whence they came he could not learn; and further this Deponent saith not.

GABRIEL SISTARE.

Sworn before me at Montreal in the Province of Lower Canada this First Day of December 1796.

JOHN RICHARDSON, *J.P.*

No. 11.—ATTORNEY GENERAL TO CAPTAIN GREEN.

(*Canadian Archives, Series, Q. Vol.* 78, *page* 159.)

(Extract) QUEBEC, 19th December, 1796.

DEAR SIR,—I have Intelligence of a spy sent by the Directory into Canada. He came into this country last Saturday week, is meakly habited, and has a Proclamation to distribute. It is thought that he is one of the officers of the Fleet which lately appeared off the coast. The Magistrates at Montreal are upon the lookout, being apprised of him. I have given the necessary Information also to Mr. Taylor here, and I propose to write by this day's post to the Chevalier Tonnancour at Three Rivers in order to watch him there. May we take him is my fervent wish.

I find also that our Friends in Vermont are more inclined to favour the projected attack on Canada than we supposed. Ira Allen has contracted at Paris for a Quantity of Arms, ostensibly for the Vermont militia. This however is not probable, because, as I am informed, the militia in Vermont are by Law bound to furnish their own Arms. The Government has nothing to do with it. In the second column of the first page of the enclosed Paper you'll see his Letter. I certainly believe the Arms he mentions are destined either for the People of Vermont or for the Canadians.

From the "Burlington Mercury" Friday, December 1st, 1796. To the Militia Officers of the State of Vermont.

GENTLEMEN,—Having been requested by His Excellency Thomas Chittenden Esq. to purchase Arms for the use of the Militia, have the satisfaction to inform you, that I have succeeded in making a Contract. That the Arms will be immediately forwarded to New York. I give you the earliest information, that you may be particular in the return of deficiencies in your Muster Rolls in October next, and that I may better know where to send them after they arrive at Troy.

Paris, July 5th, 1796. IRA ALLEN.

No. 12.—GENL. PRESCOTT TO THE DUKE OF PORTLAND.

(*Canadian Archives, Series, Q. Vol.* 78, *page* 234.)

QUEBEC, 18th February, 1797.

(Extract). With respect to the political state of things in this Province I have nothing new to communicate to your Grace, except that two of the Persons implicated

in the treasonable Practices mentioned in my former Letters have been apprehended at Montreal. I was about to apply, through Mr. Liston, to the Government of the United States, to obtain the arrest and delivering up of Ducalvette one of the principal Agents in the Plot who has resided for some time past at Burlington, but I am this day informed he has fled from thence into one of the other United States.

It deserves particular remark that the Proclamations sent in by Mr. Adet, have been traced, during the last week into no less than ten Persons hands, but not one of them can be obtained. The Persons who acknowledge the receipt of them declare uniformly, that they burnt them as soon as they saw what they were. Their not giving notice of them to a Magistrate, but observing on a point of so much importance a profound Secrecy, shews beyond dispute the real disposition of the People.

The Legislature met on the 24th of January, when I recommended to them a renewal of the Alien Act. The consideration of it has been postponed by the House of Assembly till the 22 of March: the Majority shew little disposition to forward any measures which can strengthen the hands of Government: but I believe the Upper House would afford an effectual check to any evil Intentions which they may entertain.

I have the honour to be, My Lord,
Your Grace's most obedient
and most humble servant,
ROBT. PRESCOTT.

No. 13.—DEPOSITION OF JOHN BLACK.

(*Canadian Archives, Series Q. Vol.* 79–1, *page* 7.)

At Quebec this Tenth Day of May in the year of our Lord seventeen Hundred and Ninety-Seven, at seven o'clock in the Evening, Personally appeared before me John Young Esq. a member of His Majesty's Executive Council for the Province of Lower Canada, John Black Ship Carpenter in Quebec, and one of the Representatives in the Assembly for the County of Quebec, and made Oath on the Holy Evangelists, that this Day about Twelve o'clock, a man who he believes to be a Canadian and calling himself by the name of Frichet from St. John's above, who he had never before seen, came to his House in St. Rocs Suburbs offering to sell him Timber, That after a certain time, other Persons being present, the said Frichet desired to speak with him alone, and being alone he the said Frichet said he came upon a very different Errand from that he had mentioned in company,—That he this Deponent being considered a Sufferer under the British Government, of which the French minister in the United States had been informed, he had sent a French General into the Province to aid and assist Black and other Friends to the French Republic and to consult with them on the means to destroy the British Government, and that the French Minister had great Dependance on this Deponent, particularly as he understood he had much Influence with the People. That the French General was now in the Woods about Three quarters of a League from Quebec, but he Frichet not knowing the Names of Places could not tell him where, but urged this Deponent to go along with him as he would conduct him to the Place. That he this Deponent considered it his Duty to accompany the said Frichet, and accordingly between the Hours of One and Two o'clock he went with him from St. Rocs behind the Works of the Garrison and over the Heights of Abraham down by the Road to the Beach at Wolfe's Cove and along the Beach to the Road leading up to Woodfield. That during this Walk he said Frichet informed him that the said French General had plenty of money and that no sum would separate him and this Deponent. That Frichet had seen him the French General so liberal in dispensing his money that he put him on his guard as it might expose him to be suspected. That he had cloathed the French General in a disguise so as to give him the appearance of a Person buying Horses, and that in coming down the Country they pretended to bargain for Horses but bought only one. That this French General was an Englishman or an

American who he Frichet preferred guiding through the Province to another General who was a Frenchman proposed to be sent here in this Persons stead, as he thought there was less risk in having with him a Person speaking the English language. That he Frichet was in the like employ last Autumn, and had no other business now but the conducting of this Gentleman. That he was sent for on the present Business by those he knew to be French Agents to meet them about Eight Miles on the other side of our Lines above St. Johns, and went accordingly, and that from thence or St. John's the Deponent does not recollect which he meant, he set off last Tuesday the second of this month. That he this Deponent and Frichet on reaching the Top of the Hill by the said Road leading to Woodfield, He Frichet proposed by a Bye Road to enter the Woods which this Deponent from prudential personal Motives declined, not being then satisfied he was to meet no more than one. That Frichet entered the Wood alone desiring him to remain where he was, which he did, and after a time he Frichet made signs by his Voice in the Canadian Manner, and coming in View, beckoned to the Deponent to follow him, which he did, and after going about Two Hundred yards into the wood Frichet introduced him to a man dressed as he had described, who came up and shook him by the Hand expressing his satisfaction at seeing him and informed him that his this Deponent's name stood very high with the French Minister, and that he had come down to divulge to him very Important Business, which would eventually be the making of this Deponent, but upon which his, the other Persons Life was at stake and depended. That his object was to thrust the British Government out of America. That he thought the Garrison of Quebec might be surprised while the Troops were exchanging as he understood part of the 60th Regmt. had departed this morning and more might follow before any should arrive from Montreal, & that he considered Canadian volunteers very liable to be corrupted. That he had 15,000 men without the Lines then ready, many of them Americans but from the Principles upon which Great Britain and the corrupted Government of America acted, they could not be brought into action against this Province until some call was made upon them from the Party he meant to employ & raise against the Garrison of Quebec. That this Garrison was a Scare Crow to all the Upper Posts of the Province for it was liable to be taken by surprise and that this was the moment to do it. That Mr. Adet the French Minister with whom he said he was familiarly acquainted was gone to Europe to procure a Force to be sent against Canada, but that his Views went to make the Canadians Free and Independent only employing the Power of France for that Purpose, as they were now at War with Great Britain. That he wanted to know the Value of British Property in Goods and Specie at Quebec, which this Deponent told him was very great, that the whole of it should be given to the Conquerors particularly the Leaders, and he wished to know how the Dorions, and Mr. Papineau, who he understood was in Quebec, were affected, and that this Deponent informed him he believed them Friends very inimical to the British government. That he wanted about Ten confidential People who had Influence among the People, who must be spoken to one by one, and not know his Plan until they were at the moment of Execution where they must bring all their People together under plausible Pretences. That he agreed to come in to Quebec this Evening, and he this Deponent informed him he could afterwards find him safe Quarters with Pacquet at Charlesburgh his Fellow member for the County. He said His cause was that of Humanity and he would spill no Blood but where there was Resistance, his sole Motive was to give Liberty to Canada and free them the People from the Tyranny of the British Government.—That his name was David McLean, and he gave him this Deponent a Letter from Mr. Hundson on Lake Champlain who he knows recommending Colonel David McLean as a Gentleman worthy of Notice, but he McLean took and tore the Letter, as he did also another addressed to Mr. Blackwood who he said he could not trust being a dangerous man to his Cause. That he McLean was in Montreal in September and October last during the Disturbances and said he prevented them going on as he said the People were not Ripe to go sufficient Lengths. That he had been informed the British Government of Canada had offered £500 Reward to take him. That he knew how to make all the Guard of Quebec drunk, or to set them

asleep with Laudanum, and so to make the Surprize of the Garrison more easy. That he left Philadelphia the 7th of April and that Mr. Adet was to leave it the 10th recommending him strongly to correspond with a Mr. Greenup of Kentucky Member of Congress who would assist him on this Business.

JOHN BLACK.

Sworn before me the Day and Date aforesaid.

JOHN YOUNG, *E.C.*

No. 14—DEPOSITION OF CHARLES FRICHET.

(*Canadian Archives, series Q. Vol.* 79–1, *page* 13).

Province of Lower Canada, District of Quebec. } To wit

The Examination of Charles Frichet of St. Johns in the County of Huntingdon in the District of Montreal Yeoman taken before me Nathaniel Taylor Esquire one of His Majesty's Justices of the Peace for the said District of Quebec the Twelfth Day of May in the Thirty seventh year of the Reign of our Sovereign Lord George the third by the Grace of God of Great Britain France and Ireland, King Defender of the Faith, and so forth.

The said Charles Frichet being charged before me on Oath with the Crime of High Treason on his Examination this Day saith that on his Examination yesterday he concealed many things which having taken an Oath not to reveal he conceived himself obliged to conceal, But being now convinced that for the Benefit of his soul he ought to speak the Truth, he doth declare that he knew Isaac Felt, mentioned in his Examination yesterday, last Year, and that he then went by the Name of McLane. That in the course of the last Summer (about the month of July or August) the said Jacob Felt otherwise McLane came to his this Examinant's House and asked him if his Name was Frichet, to which this Examinant replying in the affirmative, the said McLane asked him if he was an honest man, if he would swear an Oath of Secrecy to him, that if he would he would tell him something of importance upon which this Examinant took the Oath required, and the said Felt then said, can you procure me Certificates signed by six Persons of Canada to shew that the Canadians are dissatisfied with the British Government and desired the re-establishment of the French Government. If you will procure me these Certificates, and will come with me to France, I will furnish you with whatever money you choose, and you shall not want for anything. That this Examinant declined the Proposal, that McLane then desired him to meet him on the Province Line in Fifteen Days which this Examinant would not promise, and did not then go. That on Thursday the 27th of April last in consequence of a Message received from McLane by one Butterfield this Examinant went to the Province Line where he met McLane, who received him with great friendship, reminded him of his Oath and desired him to conduct him to Quebec which this Examinant undertook to do. That this Examinant however enquired what his Business was, to which McLane replied that is none of your Business, but this Examinant being Importunate the said McLane told him that he was going to purchase Horses—adding "If any one asks my name say it is Jacob Felt." That they set off from the Province Line in a Canoe and were landed before they came to the Garrison of St. Johns which they passed (through the open country behind) in the night of Sunday the Thirtieth of April. That on Monday the first of May instant they remained at the House of the Examinant, and on Tuesday morning they left this Examinant's House on Horse back Two Hours before Day, breakfasted at this Examinant's Brothers Curé of Bellœil, dined at Joseph Frétreau at Saint Mark and slept at St. Ours at the House of a Tavern keeper near the Church—and continued his journey to Quebec in the manner described in this Examinants Declaration of yesterday. That upon arriving at St. Nicholas, the said McLane speaking of this

Examinants Relations there settled said "are they to be depended upon, can they keep a secret? if they can I have something to tell them" That upon this McLane again reminded him of his Oath, and then added "you dont yet know me, I am sent by "the French Government to excite an Insurrection in Canada to deliver your Bro-"thers and Relations from Slavery. I am the the second in command of the French "Army destined to act against this Province. I wish to form a Body of Canadians to "Surprize the garrison of Quebec, you can speak to your Brothers & Relations and "perhaps induce them to join us. To surprize the Garrison of Quebec is an easy "thing if the Canadians will but unite with me. I want but Five Hundred who "would be resolute and secret. They need not look for a Commander I am ready to "head them, and have a Plan of attack which can't fail. The Canadians had better "rise in Arms and conquer the Province themselves, For, to bring an Army into the "Country will be expensive to them." That this Examinant remarking that if he took the Garrison he could not keep it, He said McLane replied "You are mistaken, there are Ten Thousand men now in America, who are ready to join us whenever we begin, upon the first Requisition. That this Examinant did hint the Business to his Brother Etienne Frichet at St. Nicholas, who refused to listen to his conversation on the subject. That during their stay at St. Nicholas McLane frequently requested him to speak to others which however this Examinant refused. That McLane afterwards inquired of this Examinant if he knew one Black a Ship Carpenter of Quebec, to which this Examinant replied in the negative. "I know him well" said McLane "he has suffered much under the English Government, If I could see him the Garrison would be mine for I know his character." That upon their arrival at Wolfe's Cove as stated in this Examinant's declaration of yesterday, this Examinant asked if he had any Letter for Black, to which McLane replied "I "have none. It is not necessary—you will tell him if he is alone that I am here—"that it is McLane (if he does not know me by the name of Felt) and if any body "is with him say you have Lumber to sell, which will give you an Opportunity of "conversing with him in private."

That this Examinant brought Black to the spot where McLane was concealed. That Black appeared to this Examinant to know McLane when he first told him his name, that McLane, when they met produced to him a Letter, which he told him was for him, with another for some other Person—that Black advised McLane after reading them to destroy both—That they accordingly tore them up & this Examinant with McLane buried them in the ground near the spot where they were then conversing. That McLane informed Black that he proposed to make Pikes of Wood hardened in the Fire to Arm those whom he might enlist to surprize the Garrison and added "You Mr. Black, can greatly facilitate the Execution of our Plan, you are well "known to the Soldiers in Garrison, the sentinels will receive Liquor from you, and "in that you can mix Laudanum. My design is to kill those only who resist, for "Prisoners will be of service to us." That Black approved the outline of the Plan and remarked to McLane that he had better give him his Pocket Book, for fear of its being found upon him, which McLane did, and that Black took it away with him. That this Examinant conducted McLane to Black's House as stated in his Declaration of yesterday and afterwards went to Gaulins where he was taken. That McLane's Pocket Book was full of Papers, but that he had not any Papers concealed upon him to the knowledge of this Examinant, and that he had not any Baggage with him except a Linnen Bag in which he carried his Money. That when this Examinant left Black at Night after supper, He was much pressed by him to stay, and declining to stay he was conducted to Gaulins by Black's servant. That when he told Black that Jacob Felt had another Name which was McLane, Black repeated the name "McLane" but did not say that he knew him, and further this Examinant saith not.

his
CHARLES × FRICHET,
mark.

Taken the Day and Year first above written before me.

NATH. TAYLOR, J. P.

No. 15.—DEPOSITION OF THOMAS BUTTERFIELD.

(*Canadian Archives, series Q. Vol.* 79-1, *page* 125.)

The Examination of Thomas Butterfield the said Thomas Butterfield having been brought before me John Richardson Esquire one of His Majesty's Justices of the Peace for the District of Montreal, charged with suspicion of High Treason, and being by me examined answers as follows.

That his Name is Thomas Butterfield, resides at Swanton in the State of Vermont, where he owns Part of a Saw-Mill, came last to St. Johns by the Way of Windmill Point and Rouses, in company with one who called himself Worthington, and that one Mr. Law of Sorel came with them in a Boat from Rouse's to St. Johns. That his Business at St. Johns was to sell Boards and Plank and to purchase Salt. That said Worthington told Examinant that he was a Native of Boston and had come from the Ohio Country in the month of March last, That said Mr. Worthington told Examinant that he was going to Montreal, and perhaps to Quebec, but did not mention upon what Business.

That Examinant knows one David McLean whom he first saw about twelve months ago at Water (Otter) Creek, and who then told Examinant that he was going to the Lines and talked about Canals and Lands. That about Four Weeks ago he saw McLean again at one Holgets at Swanton near Examinant's House, that said McLean then passeds by the name of Major McLean, and asked Examinant if he had any business at St. John's, who upon answering he had, McLean asked Examinant if he would deliver a Message from him to one Frichette there, with whom Examinant had had some Dealings in Lumber: and that he, Examinant, would tell said Frichette that Mr. McLean wanted to speak to him, adding that Frichette would understand what he wanted with him, as he Frichette knew him very well. That Examinant took a Canoe at one Duclos's at South River and came down to St. Johns with one Partlow. That he arrived at St. John's on Friday was Three Weeks & set off the next Day in the same Canoe with Partlow, Frichette, and a Servant of Mr. Ferguson of Missisqui Bay. That in their Way up they met a skiff in which was Mr. Conroy of St. Johns & two men of the name of Sullivan and Babuty who hailed them and spoke to them.

That Frichette went with Examinant as far as his house at Swanton, and from thence went on foot to join McLean and the next morning the Examinant went to St. Albans where he saw McLean and Frichette together at the House of one Scovel. That Examinant did not hear any conversation between McLean and Frichette, except that the former said "*I shall go with you.*" That at the Time he saw said McLean at Saratoga about Four Weeks ago, he told Examinant that he McLean had been in Canada last year to see if the Canadians were disposed to rise, and that he was employed by the French Minister. That McLean showed Examinant no Letters or Papers but told him that he had Papers to shew, if necessary, to convince People of his Mission, and said that one Silas Hathaway a Tavern keeper at St. Albans had seen his Papers, and that one Asa Holget who keeps a Tavern at Swanton knew his Designs but that he had not seen his Papers. That McLean likewise mentioned that one Barnard also knew his intentions, which Barnard Examinant took to be an American, but does not know him personally. That Examinant never heard McLean mention that any Person in Canada knew his Designs, except one Black or Blake. That the Examinant further heard McLean say that the Canadians were to be assisted by the French some time this Summer, and that they were expected to come to Quebec in a Fleet. That when Examinant came to Rouses at the Lines, he suspected said Worthington to be a Brother of McLeans, from a conversation which he overheard between said Rouse and one Chandinet, but that said Worthington never owned to Examinant that he was McLean's Brother.

THOS. BUTTERFIELD.

Examined at Montreal, this Twenty-second }
Day of May 1797 before me. }

JOHN RICHARDSON, *J.P.*

No. 16.—DEPOSITION OF DANIEL McLANE.

(*Canadian Archives, Series Q. Vol.* 79-1, *page* 129.)

Examination of Daniel McLane brought before me John Richardson Esquire, one of His Majesty's Justices of the Peace in and for the District of Montreal, charged on suspicion of High Treason, and being by me questioned touching the said charge, answereth as follows:

That he lives at Pittsburg in the State of Pennsylvania, was born at Dedham about Twelve Miles from Boston, left Pittsburg in the Middle of March last and came to New York in the beginning of April last, in company with David McLane his Brother. That from thence they went to St. Albans in the State of Vermont, at which last mentioned Place he has a sister married to one Scovil, and where he staid about a Fortnight. That this Examinant follows the Business of Land-jobbing and came into this Province with one Butterfield, whom he first saw in the beginning of this month at the Falls of Missisqui, with a View of getting Information respecting the said David McLane, who he was informed had been lately apprehended at Quebec, and to learn the cause of his apprehension, and if possible to procure his Discharge. That he engaged said Butterfield to come into this Country with him for that Purpose, he, the Examinant, being a perfect stranger in Canada. That the Examinant last saw his said Brother at St. Albans with a man whose name he has since understood is Frichette, when the said David told the Examinant that he was going to Isle la Mothe, and from thence would return in a Fortnight or Three weeks, but has lately understood that said David and said Frichette had embarked in a Canoe at Windmill Point, and had come to St. Johns. That the Examinant came with said David from Philadelphia to New York, and from thence to St. Albans, by the way of Albany and the new city, on the East Road, and embarked at Mountain Independance and landed at St. Albans Bay in Vermont.

That the Examinant first saw Butterfield at Swanton, where he resides, and that the said David sent said Butterfield from thence to St. Johns for said Frichette, and that when said David left St. Albans, he had no other Baggage than a small Bundle containing a few Shirts and Stockings. That the Examinant left Butterfield's house about Four Days ago—that said David informed Examinant, that he was in Canada last year, in company with a half Brother whose name is Jacob Felt. That said David also informed Examinant that he had been in company with Mr. Adet at Philadelphia, but did not mention on what Business. That Examinant has heard at different places that the People of Canada were ripe for a Revolt, and that it was suspected that the French would assist them. That he did not hear it mentioned whether the French were to make an attempt to effect that end, nor any Plan of Attack. That he has likewise heard that Arms had been deposited upon the Frontiers between this Province and Vermont, but upon enquiry he finds it to be untrue. That he has been further informed that one Allen had been commissioned by the State of Vermont to procure a quantity of Arms for the Militia of that Country who are much in need of them, and that the said Arms had been taken, but never heard that they were destined for this Province. That when this Examinant came to St. John's, he gave in his name to the commanding officer as being that of Joseph Worthington, the better to avoid any suspicion that might arise by taking that of McLane, his true Name, as his Brother had, according to Report, been already apprehended, and from an anxiety to avoid Detention, and get forward to Montreal to learn more certain Intelligence respecting the Fate of his Brother.

D. McLANE.

Examined at Montreal this 22nd day of May 1797 before me
JOHN RICHARDSON, J.P.

No. 17.—REPORT OF ATTORNEY GENERAL SEWELL.

(*Canadian Archives, Series Q. Vol.* 79—1, *page* 19.)

To His Excellency Robert Prescott Esquire, Captain General and Governor in Chief in and over His Majesty's Province of Lower Canada &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY:—In obedience to the commands of Your Excellency, I have now the Honour to report upon the several cases of Offences against Government, which occurred at the last Assizes for the Districts of Quebec and Montreal.

The several offences against Government for which Indictments were preferred, were as follows:—

High treason.

Inciting Persons to assemble in a riotous manner for the purpose of opposing the Execution of the Road Act. Conspiracy to prevent the Market of Montreal from being supplied with Provisions, until the Inhabitants of that City should unite with those of the Country in their Opposition to the Road Act.

Assault on a Constable in the execution of his Office under the Road Act.

Riot and Assault on a Justice of the Peace in the Execution of his Office.

Riots, Assaults on and false Imprisonment of different Overseers of the High Roads.

Riots and Rescue of Persons apprehended for the offence last above mentioned from the hands of the Sheriffs Officers.

Assault on the Sheriff of Montreal in the Execution of his Office, and Rescue of a Prisoner from his Custody apprehended for an offence against Government.

Seditious Conversation and Libels on the House of Assembly.

The Number of Persons indicted at Montreal for the above Offences amounted in the whole to Nineteen, of which four for High Treason have not yet been tried. Thirteen were tried, and of that number eleven were convicted and received Judgment. The remaining Two absconded.

The Persons indicted for High Treason were not tried, because the Term being limited to ten days and the Indictment having been found on the fifth day of the Term, it was not in my power to comply with the Statute 7th Anne, c. 21. s, 11, which requires that Copies of the Indictments and Lists of the Jurors, &c., should be delivered to the Jurors ten days before the Trial.

The Number of Persons indicted at Quebec for the above Offences amounted to twenty-four, of which twenty-three were convicted and received judgement. I have the honour to annex a Calendar of the Persons indicted both at Quebec and Montreal, the offences for which they were convicted, and the several Judgments which they received—to which I respectfully beg leave to refer Your Excellency for the particulars of each Case.

But I should conceive that I did not comply with the Intention of your Excellency's Reference, if I did not submit to your Excellency's consideration a general Outline of the several Prosecutions from which the Source and Origin of so many offences against Government and of the Intention of the Persons concerned must be evident.

Depositon of Jean Baptiste Louisneau and others.

Demilliere, General in the Service of the French Republic with one Ians n, an Engineer, as he called himself, and seven French Officers arrived upon our Frontiers on the 12th of September last, with intention to enter the Province through the Woods. In their attempt to execute this part of their Plan, they encountered so many difficulties that they abandoned it, returned to the Province Line and dispatched two Canadians, Joseph Peters, otherwise Ducalvet and Jean Baptiste Louisneau, with Letters, Papers and Instructions to Montreal. To whom the Letters brought by Ducalvet were directed, and what his private Instructions were, never has been and probably will not be discovered but the Papers were blank Commissions for the Republican Army and inflammatory Addresses to the Canadians exciting them to revolt.

Ducalvet and Louisneau however previous to their departure were appointed Lieutenants in the "Armée Française d'outre Mer," and the general Object of their Mission was to sound the Canadians, and to excite and cherish as far as possible a Spirit of discontent and opposition to the Government, upon any and all objects which might offer.

They arrived in Montreal the 24th of September and on the 25th of the same month a Meeting was held near Montreal to consult on the best means of effecting a Revolution in the Province, at which several Persons assisted. Ducalvet and those who were known to have been present were indicted in consequence of this meeting, and upon other Overt Acts for High Treason (*a*).

(*a*.) Case No. 7, in the Calendar annexed.

Ducalvet who was the principal of the Mission upon his Arrival at Montreal easily perceived, that the Road Act (which was a Novelty) was an object which promised much assistance to his Design. He fomented the disapprobation of that Act by every means in his power, and the effect of his Endeavours were very soon conspicuous. The most pointed Opposition was made to its Execution, but few of the Inhabitants of Montreal performed the Statute Labour which was required. The Majority peremptorily refused, and the Magistrates of course were compelled to condemn the Defaulters to pay respectively, the fines which the Act imposed for their neglect.

Among the first one Luc Berthelot (who resides near Montreal, and within a few doors of the house at which Ducalvet's meeting was held on the 26th of September), having been regularly convicted, was sentenced to pay a fine of a few shillings, and a warrant was issued by two Magistrates to levy the Amount. The Execution of this Warrant was entrusted to a Constable by the name of Marston, who proceeded to Berthelot's House, on the second of October. In his attempt to seize the Constable was not only opposed, but beat most cruelly by five or six Persons who were in the house, and was happy to escape with his life. For this violent assault, the Parties present were indicted and convicted (*b*.)

(*b*.) Case No. 4, in the annexed Calendar.

A Warrant was immediately issued for apprehending Berthelot and those who were concerned with him in this Assault, in consequence of which they absconded, and as matters began to be more and more serious, a Meeting of the Magistrates of the District was held in Montreal, on the 4th of October, for the purpose of deciding on the measures which it might be proper for them to adopt. It was publickly known that the Meeting would be held at the Court House, and it was accordingly surrounded at the Hour fixed for the meeting by a mob of one hundred Persons or more, among whom was Berthelot. The Sheriff informed, that Berthelot was in the Crowd, went into the midst of them and arrested him upon the Warrant which as stated had been issued to apprehend him. No attempt was made to oppose the Arrest; but he had not been in the Sheriff's Custody above five minutes when he was forcibly and most violently rescued from him by the mob in the *Place d'Armes* a Square in Montreal, thro' which the Sheriff was conducting him to the House of a Magistrate. For this riotous Assault on the sheriff and Rescue, four persons were indicted and three convicted (*c*.)

(*c*) Case No. 5 in the annexed Calendar.

The Rescue of Berthelot served only to increase the general Ferment. Couriers traversed the Country requiring the Inhabitants to assemble at Montreal on the 11th of October for the purpose of opposing the further Execution of the Road Act, and threatening them with the Destruction of their Houses and Barns if they failed. Of these Couriers two only were known, and they were indicted for inciting Persons to assemble and commit a Riot. One was acquitted, the other was convicted (*d*).

(*d*) Cases Nos. 6 and 2 in the annexed Calendar.

On the eleventh of October However, a very great Mob did assemble on the *Champ de Mars* in Montreal, but no violence was offered to any Person, and upon the Recommendation of the Magistrates they dispersed.

The Magistrates were still firm and resolved to execute the Duty, which the Act required of them, and they issued a Warrant to levy a fine, which one Latour a notorious Ringleader had been sentenced to pay. The Constable (Marston) to whom this Warrant was also entrusted, was not however able to execute it. He found Latour shut up in his House with several of his Friends well armed with musquets, which were presented against him as soon as he approached. Several attempts were afterwards made but in vain and Latour shortly after absconded.

Latour's assault on the Constable Marston was committed on the 24th October and was the crisis. The Execution of the Road Act was totally stopt. The Magistrates thinking, that with the Military Force then in the District of Montreal, it would not be prudent to proceed further, Your Excellency on the 30th of October was pleased to order two additional Regiments to Montreal, and by this judicious step restored the Consequence of the Magistrates, and gave Energy to their Proceedings.

As Latour absconded to the States and continued to remain there during the Assizes at Montreal, I did not prefer any Indictment against him, knowing that I should not be able to bring him to Trial upon it and supposing that it might alarm and prevent his return to Montreal, which is yet expected.

The effects of Ducalvet's Plan were not so soon visible in the District of Quebec as in the District of Montreal—for it was not until the 9th of October, that the District of Quebec appeared to be in the smallest Degree affected—but on that Day at a meeting of the Inhabitants of Saint Roch for the purpose of naming overseers of the Roads for that Parish, a most violent Riot took place, the Persons who were well disposed and willing to appoint the Overseers were not permitted to proceed and a Magistrate (Mr. Wilson) in his attempts to disperse the Mob was most grossly insulted and his Life threatened. For this Riot and Assault on a Magistrate in the Execution of his Duty—Four Persons were Indicted—of which three were convicted. The fourth absconded. (*e.*)

(*e.*) Case No. 12, in the annexed Calendar.

Steps were immediately taken to apprehend the Persons concerned in the last mentioned Riot at Saint Roch, and they seem to have been attended with a good Effect for in the adjoining Parishes, the Overseers were afterwards during the Months of November and December appointed in Peace. The Inhabitants of Pointe Levi appointed nine Overseers for their Parish on the first of January. But on the ninth of the same month at the same hour of the day, the nine Overseers were forcibly seized at their different Houses by nine different Mobs and conducted in a riotous and tumultuous manner to a place of general Rendezvous in the center of the Parish where they were compelled by the general Mob formally to relinquish their appointments and to give up the printed Instructions which they had received for the Execution of their Duty. For these several Riots Assaults and false Imprisonments, Twelve of the Ringleaders were indicted and convicted. (*f.*)

(*f.*) Cases Nos. 8, 9, and 10 in the annexed Calendar.

But though the Ringleaders in the last mentioned Riots were ultimately convicted, they were not apprehended without considerable difficulty. A Warrant against four of them was issued on the 11th of January and on the 25th two Bailiffs to whom the Execution of it was entrusted apprehended the Person named in the Warrant, at Pointe Levi. They were conducting them to Quebec, when they were attacked by a Party of Eight upon the Road with Bludgeons—the Prisoners were violently rescued, and the Bailiffs ordered by the Party to proceed to Quebec and to inform those that sent them, that the Inhabitants of Pointe Levi would not suffer any warrant to be executed in their Parish, adding: "Let them send who they will, we have "three hundred men in arms ready to support our Determination."

Your Excellency's prompt and effectual Assistance on this Occasion again supported the Magistrates, and to that the Province is indebted for the Preservation of its peace. The Ringleaders of the former riots were arrested with those who were concerned in the Rescue and the latter were (as well as the former) indicted and convicted. (*g.*)

(*g*) Case No. 11, in the annexed Calendar.

During these Disturbances in the Districts of Quebec and Montreal, the most seditious and libellous Language against the Government and particularly the House of Assembly, was held in various places. For these offences two Persons (one an old Frenchman, the other a Canadian) were indicted and convicted (*h*). The seditious and libellous Language above mentioned was principally held by Strangers, whose Names even were not known and who could not be found when inquiries and search was made after them.

(*h*) Cases No. 1 and 13 in the annexed Calendar.

The Cause and Origin of so many Offences against Government is found in the numerous French Emissaries with which this Province has lately been infested and the Steps which they have taken to excite Disturbances are in every respect similar to those which they adopted in 1794, particularly in one Respect. On that occasion, the Militia Act was made the pretext in the present Instance the Road Act has been used to draw the Canadians from the Duty of their Allegiance. Ignorance, profound Ignorance is too surely the characteristick of the Canadians and certainly renders them liable to be imposed upon by the grossest assertions. But whether their conduct proceeds from Ignorance or from Disaffection, the Danger to Government has been and will on all similar Occasions in future be equally great.

All which nevertheless is most respectfully submitted

By Your Excellency's
Most obedient and most humble servant,
J. SEWELL,
Attorney General.

Quebec 12th May 1797.

NO. 18.—ATTORNEY GENERAL SEWELL'S CALENDAR.

(*Canadian Archives, Series, Q. Vol.* 79–1 *page* 30.)

A Calendar of Persons indicted at the Assizes of Montreal and Quebec, in March 1797, for Offences against Government annexed to the Attorney General's Report of the 12th May 1797.

District of Montreal
No. 1.
Dominus Rex vs.
Charles Francois Ferriere.

Sur. Indictment for Seditious Conversation and for a Libel on the Honourable House of Assembly on the 15th day of October 1796, at the Parish of St. Rose.

The Prisoner was convicted.—Judgment,—one year's Imprisonment and Security for his good behaviour during three years, himself in £100 with two Sureties in £50 each.

No. 2.
Dominus Rex vs.
Amable Content.

Sur. Indictment for a Misdemeanor on the 13th day of October 1796, at the Parish of St. Roch de l' Assomption by inciting Persons to assemble in a Riotous manner to oppose the Execution of the Road Act.

The Prisoner was convicted: Judgement—A fine of £20, three Months Imprisonment—Security for his good behaviour during two years himself in £200 with two Sureties in £100.

No. 3.
Dominus Rex,
vs.
Francois Lafontaine,
Francois Porrier and
Antoine Fontrouge
dit Crepin Gadouin.

Sur. Indictment for a Conspiracy on the 3rd day of November 1796 at the Parish of St. Antoine of Longueuil to prevent the market of Montreal from receiving its accustomed Supply of Provisions until the Inhabitants of Montreal should unite with the Inhabitants of the Country Parishes in the Opposition to the Road Act. The Prisoners were all convicted except Antoine Fontrouge dit Crepin Gadouin. Judgment—a fine of £5 each, three months Imprisonment and Security for their good behaviour, during two years, themselves in £200, with two Sureties in £100 each.

No. 4.
Dominus Rex,
vs.
Luc Berthelet, Scholastique Mathieu, Guillaume Blondin, & Guillaume Fontaine,

Sur. Indictment for a violent Assault upon a Constable in the Execution of his Office on the 30th day of September, 1796 at the Parish of Saint Mary.

Return as to Blondin—*non est inventus.* The other three Prisoners were convicted. Judgment—Luc Berthelet, a fine of £10 and Security for his good behaviour during two years, himself in £100 with two Sureties in £50 each. Guillaume Fontaine a fine of 20s. and Security for his good behaviour during one year himself in £50, with two Sureties in £25 each. Scholastique Mathieu not appearing to receive Judgment, her Recognizance was estreated and Process ordered to bring her in to receive Judgment the next Term.

No. 5.
Dominus Rex,
vs
Luc Berthelet, Francois Chamberlain, Etienne Rastoule, and Emanuel Vidriquaire.

Sur. Indictment for having on the 11th day of October 1796, at the Parish of St. Mary, in the city of Montreal, committed a Riot and Assault on the Sheriff of the District in the Execution of his Office, and having rescued from his custody Luc Berthelet, whom he had apprehended by virtue of a Warrant from a Justice of the Peace for a violent Assault on a Constable in the Execution of his Office. The Prisoners were convicted : Judgment—Luc Berthelet, a fine of £5 and three months Imprisonment; Francois Chamberlain, three months Imprisonment. Etienne Rastoule a fine of £5, three months Imprisonment and Security for his good behaviour during one year himself in £50 with two Sureties in £25 each. Emanuel Vidrequaire dit St. Hilaire a fine of £20, three months Imprisonment and Security for his good behaviour during two years, himself in £200, with two Sureties in £100 each.

No. 6.
Dominus Rex.
vs.
Nicholas Depelteau.

Sur. Indictment for a Misdemeanor by exciting Persons at the Parish of La Chine to commit a Riot on the 10th day of October 1796 at Montreal.

The Prisoner was acquitted.

No. 7.
Dominus Rex
vs.
Joseph Peters alias Joseph du Calvette, Jean Baptiste Bizette. Etienne Girard dit Provencal & Joseph Girard dit Provencal.

Sur. Indictment for High Treason committed at the Parish of St. Mary on the 26th day of September 1796 and on divers other Days as well before as after.

Memorandum.

The Statute 7th Anne, c. 21, s. 11, requires that Copies of the Indictment with Lists of the Jurors, &c., should be delivered to Persons indicted for this Crime ten Days before they are arraigned; as there remained but five Days of the Term after the Bill of Indictment was found by the Grand Jury including the Day on which it was found, the Trial could not be brought on.

District of Québec.
No. 8.
Dominus Rex
vs.
Ignace Lambert, Louis Roberge, François Cantin & François Roberge.

Sur. Indictment for having on the 9th day of January 1797 at the Parish of St. Joseph of Point Levi committed a Riot and an Assult on Etienne Denvers Overseer of Roads of that Parish, and for having falsely imprisoned him during an hour.

The Prisoners were convicted. Judgment—A fine of 1 s. each and Six Weeks Imprisonment.

No. 9.
Dominus Rex
vs.
Joseph Dusault, François Ale, Louis Lemieux dit Langlois and Gabriel Lemieux.

Sur. Indictment for having on the 9th day of January 1797 at the Parish of St. Joseph of Pointe Levi committed a Riot and Assault on Ignace Couture, Overseer of Roads in that Parish and for having falsely imprisoned him during an hour.

The Prisoners were convicted. Judgment : Three Month's Imprisonment and a fine of 20 s. each.

No. 10.
Dominus Rex
vs.
Louis Cadorette, François Couture, Louis Gaudreau and Charles Cadorette.

Sur. Indictment for having on the 9th day of January, 1797, at the Parish of St. Joseph of Pointe Levi committed a Riot and Assault on Michel Dusault, Overseer of Roads in that Parish and for having falsely imprisoned him during an hour.

The prisoners were convicted. Judgment, Louis Cadorette a fine of 20 shillings and two months imprisonment. François Couture, Louis Goudreau and Charles Cadorette a fine of 1 shilling each and six weeks imprisonment.

No. 11.
Dominus Rex
vs.
Pierre Huard, Louis Croteau, Etienne Lemieux, Louis Lemieux, the younger, Michel Lemieux, the elder, Laurent Levasseur, Joseph Lemieux, & Pierre Boucher dit Prisque.

Sur. Indictment for having on the 25th day of January 1797 at the Parish of St. Joseph of Pointe Levi committed a Riot and Assault on Philip Hooper and William Thompson (Sheriff's Officers) and having rescued from their custody Joseph Dusault, Louis Lemieux dit Langlois and Gabriel Lemieux after they had been apprehended by them upon a Warrant from a Justice of the Peace for a Riot and Assault. The Prisoners were all convicted. Judgment, Pierre Huard, twelve months Imprisonment and a fine of 20 shillings. Louis Croteau and Laurent Levasseur, nine months Imprisonment and a fine of 20 shillings each. Pierre Boucher dit Prisque, Joseph Lemieux, Michel Lemieux, Louis Lemieux and Etienne Lemieux, six months' Imprisonment and a fine of 20 shillings each.

No. 12.
Dominus Rex
vs.
Antoine Dionne, the elder, Antoine Dionne, the younger, Pierre Noël Pelter and Charles Gagner.

Sur. Indictment for having on the 9th day of October 1796 at the Parish of St. Roch committed a Riot and Assault on a Justice of the Peace in the Execution of his Office. The Prisoners were all convicted except Charles Gagner who has not yet been apprehended. Judgment, Three Month's Imprisonment, a fine of £5 each and Security for their good behaviour during two years themselves in £50 each with two Sureties in £25 each.

No. 13.
Dominus Rex
vs.
Antoine Dionne, the elder.

Sur. Indictment for Seditious Conversation and a Libel on the Honorable House of Assembly on the 7th day of October 1796 at the Parish of St. Roch. The Prisoner was convicted. Judgment, six month's imprisonment, a fine of £10 and Security for good behaviour during two years, himself in £100 with two Sureties in £50 each.

J. SEWELL, *A.G.*

Quebec 12th May 1797.

No. 19.—LT. COLONEL DE BERNIÈRE TO CAPTAIN GREEN.

(*Canadian Archives, Series C. Vol,* 673, *page* 64.)

St. Johns, 20th May 1797.

Dear Sir,—His Excellency has learned, no doubt thro' Col. Blake, of the detention of two men of suspicious character whom I send to-morrow in Caleches to Montreal. The one who calls himself Worthington there is reason to believe is a brother of McLean.

Since closing my letter to Col. Blake I have seen a Mr. Low who resides at Fort W. Henry. He heard at Rous's from whence they came together that the man was a brother of MacLane's.

My original Informant was one of the name of Sullivan who resides here. He was formerly in the British Navy. He gave me the Information *privately*, on which I arrested them.

As for Butterfield, He is so often passing & repassing here, that he must have more than his own business to transact. It was He who conducted McLean into the Province. So 'tis said here.

I should be at a loss were it required of me to bring anything home to those men, but as they come fairly under the description of suspicious characters I suppose myself justifiable.

The two Canadians who are Rous's servants appear *simply such*; & wholly ignorant of the characters of the Passengers they conducted.

I believe I did not mention to Col. Blake that I caused the Prisoners to be examined but found not a Paper nor had they any Baggage whatever two empty Sacks excepted.

I have requested Col. Blake's orders respecting the two Canadians, whom I detain prisoners in the meanwhile.

I have just learned from them that they landed a man whom they describe—un Yanky ou Anglais, at Watson's Public House near the Isle aux Noix.

I have also just learned from them that there was a small Parcel landed as the luggage of one of the Prisoners. It is now near 11 at night so that it cannot be searched for but before their departure to-morrow I shall endeavour to get hold of it.

This business has prevented me finishing a letter I had half written to you, on the state of this Post. The first Post shall convey it to you.

I am with much regard dear Sir

Your faithfull humb. servant,

J. DE BERNIÈRE.

No. 20.—ANONYMOUS LETTER TO MR. JOHN THORP.

(*Canadian Archives, Series C. Vol.* 673, *page* 68.)

MAY 15, 1797.

DR SIR,—Having some acquaintance with you, & being somewhat acquainted with your political character, as also the line of your business being pricipally in Canada, I take the liberty of writing you, for the purpose of informing you that an Invasion on that Province is intended early this season, supported by the French, in which a number of the subjects of your State as well as from some of the Southern are concerned, in connection with the French for the laudable purpose as they express it, of establishing the provinces of Canada under republican government, independent of any foreign nation whatsoever, only to be in alliance with the American States. How far they may succeed, I know not, but if ever the attempt is made, it will undoubtedly be attended with disagreeable consequences to the English subjects there. I have come to the knowledge by the By, but from those who are in the Plan. As my own political sentiment doth not concur with any insurrection measure, and from principals of Humanity which incline me to wish the welfare of all mankind I take this method of notifying you of the measure that you may order your business accordingly, and take such methods of informing your friends there as you think proper. You may rest assured that the measure is seriously contemplated & unless some powerful operations to prevent it, will undoubtedly take place, at least be attempted. The time proposed is in all the month of July next, but may be postponed untill November so late that a fleet cannot get up the River, but am satisfyed they intend securing the Quebec Fleet, in the Harbour. For causes attending the mode by which I obtained my information, I conceal my name. We may probably meet hereafter, and till then Believe me truly your friend. The 4th of July is said to be the day.

MR. JOHN THORP.

NO. 21.—ANOTHER LETTER TO MR. JOHN THORP, FROM THE SAME (JOHN HUNSDON).

(*Canadian Archives, Series C. Vol.* 673, *page* 71.)

18th JUNE 1797.

DR SIR,—Having an opportunity back & some business which wants my attendance have thought best to return and wait a few lines from you before I come in. I do not suppose I need be under any apprehension in coming in as it is probable

the letters I wrote was not presented as the fellows changed their name. What they wanted was the Contract to cut the Road to Connecticut river by which means as I have been since informed to introduce their assistants into the Province all which I have stated to Mr. Blackwood, who I wrote to, and to Mr. Black by their particular request.

JOHN HUNSDON.

There follow a few lines of no import.

NO. 22.—JOHN HUNSDON TO MR. JOHN THORP.

(*Canadian Archives, series C* 673 *vol. page* 70.)

The first part of the letter relating wholly to mercantile eminess, has been omitted as without consequence. (This note and the copies of the present and two immediately preceding letters are in Colonel DeBernière's writing).

WINDMILL POINT 19th June 1797.

Inclosed is a Copy of a letter I sent you without signing as also one at the same time to Mr. Blackwood to the same Import the 15th May which was taken past and brought back again. Mr. Blackwood's I have since fowarded. By it you learn why I do not now come in, not that I am afraid but having been informed of the business may be called upon, & perhaps suspected but have communicated all I know & will as fast as I come to the knowledge of any measure against the Goverment, which may be relied on by all my friends in Canada as much as if I was in, or under the Oath of allegiance to the Government. The Democratical Partie have got some advantage of me and in one case out generaled me, but I hope it will be no disadvantage to the people in Canada as I am determined to do all I can to defeat their Plans, which if I am to come forward as an Evidence would not answer as I know nothing from any Person who is in or will come in to the Province, for these causes wisheth you to take the Charge of my business at present, it may probably be necessary for me to come in, if so will without delay if I had that confidence placed in me there, that if I know myself—the purity of my intentions would entitle me to —could serve them but since their Jealousy over our Countrymen, so justly raized by the conduct of so many of them cannot expect it. If you know your own feelings, you can judge of mine when I reflect a little on the diabolical Plan even against our own Country and the inhumanity it must be attended with in Canada. That they and their plans may be defeated is the sincere prayer of him who can sincerely subscribe himself your & the government of Canada's friend.

JOHN HUNSDON.

Mr. John Thorp.

No. 23.—LIEUT. COLONEL DE BERNIERE TO CAPTAIN GREEN.

(*Canadian Archives, Series C. vol.* 673, *page* 72.)

ST. JOHN'S 19th June, 1797.

SIR,—Altho' most of the information contained in the following letters may be already in possession of Government: I think it my duty to make the communication.

I hope it may not meet with His Excellency's disapprobation that I have at the request of Thorp promised Hunsdon protection at least so far as this Post. Mr. Conroy assures me that Mr. Thorp is well disposed & even interests himself much in the welfare of our Government.

It was Mr. Conroy w[illegible] introduced me this morning to Mr. Thorp for the pu[illegible]pose of receiving the abo[illegible] communication.

I have the hon[illegible] to be with much consideration,

Dr. Sir

Your faithfull & humble servt.

J. DE BERNIERE.

Capt. Green 26th Regmt. Milty. Secret, &c., &c., &c.

Mr. Lindsay & Mr. Conroy Justices of the Peace recommend the measure of protecting thus far Mr. Hunsdon & his remaining at St. Johns until His Excellency's pleasure be known, without his risking detention, should he wish to return.

Mr. Lindsay desires me to say, that He & Mr. Conroy mean to write to Mr. Ryland by to-morrow's Post on the subject.

No. 24.—CAPT. SCHOEDDE TO MAJOR GREEN.

(*Canadian Archives, Series C. vol.* 673, *page* 75).

MONTREAL, 25th February, 1799.

DEAR SIR,—The last Burlington brought nothing new; But a paper of the 12th from New York, and which was in Doctor Jones' possession but lost by him, gives an account of a vessel from Lisbon, of 12th December and that Malta and Minorca were both taken, the first I can easily believe, but the latter could hardly have been taken in so short a time, and with such a handful of men as General Stewart commanded.

There is a French man at Albany whom you know better than I do, named Lacouture [Le Couteulx] he is an agent of the Directory's, and said lately when drunk, that he had eight people employed in Canada as emissaries—this I am certain you know, but what makes me give you this information is that he is just setting off from Albany, for Niagara, and from thence to Detroit, this perhaps you do not know, and as he may perhaps think it not unsafe to cross the limits there, the Rascal might be secured if a description of him was to go up. Excuse this liberty I remain Dear Major yours sincerely,

H. H. SCHOEDDE.

Major GREEN, 26th Regiment.

No. 25.—MAJOR GENERAL BURTON TO LIEUT. GOVERNOR MILNES.

(*Canadian Archives, Series C. vol.* 673, *page* 89).

MONTREAL 14th July 1801.

SIR,—The bearer who calls himself Colonel Graham will inform you of the purport of His Journey to Quebec. I however think it proper to forward to you a Copy of what he has stated to me; as to observations of mine respecting him I conceive it unnecessary to make any, as you will have an opportunity of Judging and forming your own opinion. I nevertheless cannot omit mentioning that, I have reason to think that he has been too free in his communications.

I have the honor to be Sir
Your most obedient humble servant

N. C. BURTON, *M.G.*

His Excellency
Lieut. Gov. Sir ROBERT SHORE MILNES, Bt., &c., &c., &c.
Quebec.

No. 26.—MAJOR GENERAL BURTON TO MAJOR GREEN.

(*Canadian Archives, Series C. vol.* 673, *page* 81.)

MONTREAL, 15th July, 1801.

SIR,—For the information of the Lieut. General, I beg to make mention of the following occurrence. A Person calling himself Col. Graham, who resides at Vermont, by profession a lawyer, desired an interview. In consequence, I appointed one o'clock yesterday. He came to the time. Opened his business by showing me

an old pass of the Duke of Portland's, for him to go to Hamburgh. Some letters and notes, from the Dukes of Portland and Montrose, Mr ng and Mr. Colquhoun, written a good while since. Spoke of Mr. Wickham, M. Liston, etc.; said he was in good circumstances, had £450 a year from Government; has the best House in Vermont, and is in considerable practice there. After which, he put a paper into my hand a copy of which I inclose No 1. After reading it, I requested him to state the matter if he could, more fully, he readily comply'd, and said he would call again at 5 o'clock with a more particular statement, which he accordingly did; a copy of which No 2, is likewise forwarded herewith.

He expressed great fear of mischief to himself from the Vermontees, should he be known to have given the information contained in the two papers. Tho' at the same time, he seems to have acted with inconsistency, as appear to me, in having been too free (as I learnt from his conversation) in his communication in this town.

He talked about going to see Lieut.-Governor Milnes, but wished to avoid the journey if he possibly could. However, I found after he had left me, he determined otherwise and in consequence set off yesterday evening for Quebec. I have written to the Lieut.-Governor, and have sent him a copy of each of the papers Col. Graham gave me, which I hope I was right in doing.

I have some doubt as to the credit that should be given to all that the Colonel has said, tho', there may be some truth in the business. He appeared to me to magnify matters, in the hope of some advantage, that he seems to point at for himself. He is a man that has seen the world, is not deficient in ability, seems pretty acute; but has not all that prudence and caution requisite for the part he acts, and for the line he says he has followed, obtaining and giving information.

I trust I do not overstep the bounds of propriety, in making some observations which I conceive it my duty to do, for the better information of the Lieut.-General.

I have the honour to be Sir

Your obedient servant

N. C. BURTON, *M.G.*

N.B.—I must observe that Col. Graham came from England not long since.

MAIOR GREEN, *Military Secretary.*

No. 27.—LIEUT.-GOVERNOR MILNES TO LIEUT.-GENERAL HUNTER.

(*Canadian Archives, Series C, vol.* 673, *page* 90.)

QUEBEC, 20th July, 1801.

SIR,—I inclose your Excellency a copy of a letter I have received from Major General Burton and of the Papers which accompanied it, together with a copy of my answer; as I am possessed of no other Intelligence relative to the subject of these Papers than what you will find in them it would be useless for me to trouble your Excellency with any observations on their Contents; but if anything should occur to you which you may consider of importance I shall be obliged to you to communicate your sentiments to me and you may be assured of every endeavor in my power which can assist in frustrating any attempts against His Majesty's Government in this Province.

I have the Honor to be Sir

Your Excellency's most obedient humble servant

ROBERT S. MILNES.

His Excellency
Lieut. General HUNTER,
&c., &c., &c.

No. 28.—INFORMATION RESPECTING PLOTS.

(*Canadian Archives, Series C, vol.* 673, *page* 92.)

Major Generals Isaac Clerk Arwin, Jonn. Spafford, Ira Allen. } of Vermont.

Stephen Thorn, a major in the French Army, lately arrived with French Commissions.

Major General Hull of Massachusetts, six miles from Boston. }

Major Jededh. Clerk of Vermont.

Capt. Timothy Hinman, Lake Magog.

Silas Harthoway.
Doctor Shaw.
Captain Hide.

One Rogers has taken the Plans, &c., & delivered them over, &c., to Harthoway and Allen. Isarel Keath late Adjt. General of Massachusetts he is on the Province Line—owns Iron Works, &c.—he was Judge Advocate on the Trial of the unfortunate Major André, as he says. Keath has two Brothers who are settled in Upper Canada have built Iron Works, &c.—These Men will make Pikes, &c., for the New England Settlers in that Quarter. Secret Committees are held—and a brisk Correspondence is now carried on from one end of the United States to the other and with the Jacobins in Upper and Lower Canada. These Rascals are coming in and going out continually under the pretext of some other business—but for the express purpose of raising a Rebellion. These facts and some others I know to be true—but it was expressly agreed by His Grace of Portland that my name should never be made known nor called in Question on Information I should give to Government.

These men are all disaffected towards the Federal Government, have but little to lose and their hope is in the Idea of Plunder.

Major General Burton.

No. 29.—ANONYMOUS LETTER TO MAJOR GENERAL BURTON.

(*Canadian Archives, Series C, vol.* 673, *page* 94.)

Major General Burton,

Sir,—I hasten to state for your consideration the following facts which have been stated to me from a quarter which cannot be doubted (to wit) a great number of that Class of people in the American States called *Jacobins, Democrats,* &c. in conjunction with many of their Countrymen who have emigrated into His Majesty's Provinces of Upper and Lower Canada, are now most assiduously employed to raise a Rebellion in the same, in hopes thereby totally to destroy His Majesty's Government in said Provinces. So far as I have been able to collect information the following are some of the head leaders.

Vermontese.

Genl. Isaac Clerk—A slender built man thin favoured black eyes.

Genl. Jo^n Spafford—A large boned man, about 6 feet high, dark complexion and black eyes.

Genl. Ira Allen—A good size round fac'd, a full black eye, and bald on the top of his head.

Genl. Brown—A good size and dark complextion with light eyes.

Stephen Thorn, of Granville in the State of New York, a Major in the French Army and lately returned with French Commissions. Thorn is a large stout Man, dark complextion and black eyes and hair.

Major Jedh. Clerk, junr.—Of the County of Rutland, Vermont, a slim person dark complextion and black hair and eyes.

Silas Harthaway—Well known at St. Johns.

Doer. Shaw—Of Castilon, Vermont, a large stout man, light complextion and dark hair.

Capt. Hide—Of do., a stout man light eyes and complextion and a very great talker.

Capt. Timy Hinman—Of Lake Magog, a large stout person light complextion.

Isarel Keath, late Adjt. General of Massachusetts, now resides on the line 45, owns Iron Works in that neighbourhood, he was Judge Advocate on the Trial of the unfortunate Major André (as he says), Keath has two Brothers who are seated down in Upper Canada they have built Iron Works, &c., these men will make Pikes &c., for the New England Settlers in that quarter.

One Rogers, I'm informed a Schoolmaster in the Lower Province is now employed by the afores'd people & has lately furnish'd them with Plans &c., of the Country.

Secret Committees are held and a brisk Correspondence is now going on from one end of the States to the other and with the *Jacobins* in the Canadas. And it is declared to me that in case Jefferson should not agree to be passive in the business—at all hazards the attempt will be tried—and that very shortly.

Small Arms Ammunition &c., is collecting by these rascals for the purpose, I am likewise assured that every person of the Junto has a number by which he is known and called—such as 50, 51 and so on—Ira Allen within the last 30 days has collected a number of depositions of the very persons who were and still are concerned with him in the 20,000 Stand of Arms—he went to Boston and forwarded them and had returned to Lake Champlain the day previous to my setting off for this place—by these depositions he entertains hope that the Arms will be released.

I remain Sir

With profound respect and consideration.

No. 30.—LIEUT. GOVERNOR MILNES TO MAJOR GENERAL BURTON.

(*Canadian Archives, Series C, vol.* 673, *page* 97.)

SIR,—I had the honor to receive the Letter you sent me by Colonel Graham together with his depositions, I agree with you in opinion that he has been too free in his Communications, and I even cannot help having some doubts with respect to the degree of Credit his information is entitled to; I find however by a dispatch from the Duke of Portland that he is therein mentioned as having given information to Government on a former occasion part of which proved to be well founded. I enclose an Extract from that Dispatch.

I have not discouraged him from giving further information, but I have thought it right to inform him that he cannot be considered as entitled to any claim upon Government unless that information is so direct as to lead to the absolute detection of the Person or Persons he suspects to be employed in this Province or giving such particular information with respect to the neighbouring States as leave no doubt of their designs.

I have the honor to be Sir

Your most obedient humble servant

ROBERT S. MILNES.

Quebec, July 19th, 1801.

M. Genl. BURTON,

&c. &c. &c.

NOTE E.

THE MARRIAGE LAW IN UPPER CANADA.

REPORT BY RICHARD CARTWRIGHT, JUNIOR.

(Canadian Archives, Series Q. 279–1, p. 174.)

REPORT on the subject of Marriages and the State of the Church of England in the Province of Upper Canada, humbly submitted to His Excellency Governor Simcoe.

The Country now Upper Canada was not settled or cultivated in any part except the settlement of Detroit, till the year one thousand, seven hundred and eighty-four, when the several Provincial Corps doing Duty in the Province of Quebec were reduced, and together with many Loyalists from New York, established in different Parts of this Province, chiefly along the River St. Lawrence and the Bay of Quenti. In the meanwhile from the year 1777 many families of the Loyalists belonging to Butler's Rangers, the Royal Yorkers, Indian Department and other Corps doing Duty at the Upper Posts, had from Time to Time come into the country, and many young Women of these Families were contracted in Marriage which could not be regularly solemnized, there being no Clergyman at the Posts, nor in the whole country between them and Montreal. The practice in such cases usually was to go before the Officer Commanding the Post who publickly read to the parties the Matrimonial Service in the Book of Common Prayer, using the Ring and observing the other forms there prescribed, or if he declined it, as was sometimes the case, it was done by the Adjutants of the Regiment. After the settlements were formed in 1784 the Justices of the Peace used to perform the Marriage Ceremony till the establishment of Clergymen in the Country, when this practice adopted only from necessity hath been discontinued in the Districts where Clergymen reside. This is not yet the case with them all; for though the two lower Districts have had each of them a Protestant Clergyman since the year 1786; it is but a few months since this (Nassau or Home) District hath been provided with one; and the Western District in which the settlement of Detroit is included, is to this Day destitute of that useful and respectable Order of men; yet the Town of Detroit is and has been since the Conquest of Canada inhabited for the most part by Traders of the Protestant Religion who reside there with their Families, and among whom many Intermarriages have taken place, which formerly were solemnized by the Commanding Officer, or some other Layman occasionally appointed by the Inhabitants for reading prayers to them on Sundays, but of late more commonly by the Magistrates since Magistrates have been appointed for that District.

From these circumstances it has happened that the Marriages of the generality of the Inhabitants of Upper Canada are not valid in Law, and that their children must *stricto jure* be considered as illegitimate and consequently not intitled to inherit their property. Indeed this would have been the case, in my opinion had the Marriage Ceremony been performed even by a regular Clergyman, and with due Observance of all the Forms prescribed by the Laws of England. For the clause in the Act of the 14th year of His Present Majesty for regulating the Government of Quebec which declares "That in all cases of Controversy relative to Property and "Civil Rights, resort shall be had to the Laws of Canada as the Rule for the Decision "of the same," appears to me to invalidate all Marriages not solemnized according to the Rites of the Church of Rome, so far as these Marriages are considered as giving any Title to property.

Such being the Case it is obvious that it requires the Interposition of the Legislature as well to settle what is past, as to provide some Regulations for the future, in framing of which it should be considered that good policy requires that in a new

Country at least, matrimonial Connections should be made as easy as may be consistent with the Importance of such Engagements; and having pledged myself to bring this Business forward early in the next Session, I am led to hope that Your Excellency will make such Representations to His Majesty's Ministers as will induce them to consent to such arrangements respecting this Business as the circumstances of the Country may render expedient, Measures for this purpose having been postponed only because they might be thought to interfere with their Views respecting the Clergy of the Establishment.

Of this Church I am myself a Member and am sorry to say that the State of it in this Province is not very flattering. A very small proportion of the Inhabitants of Upper Canada have been educated in this Persuasion and the Emigrants to be expected from the United States will for the most part be Sectaries or Dissenters; and nothing prevents the Teachers of this class from being proportionally numerous, but the Inability of the People at present to provide for their support. In the Eastern District, the most populous part of the Province, there is no Church Clergyman. They have a Presbyterian Minister, formerly Chaplain to the 84th Regiment, who receives from Government fifty Pounds p. ann. They have also a Lutheran Minister who is supported by his Congregation, and the Roman Catholic Priest settled at St. Regis occasionally officiates for the Scots Highlanders settled in the lower part of the District, who are very numerous and all Catholics. There are also many Dutch Calvinists in this part of the Province who have made several attempts to get a Teacher of their own Sect but hitherto without success.

In the Midland District where the members of the Church are more numerous than in any other part of the Province, there are two Church Clergymen who are allowed one hundred pounds stg. p. ann. each by Government, and fifty pounds each by the Society for the Propagation of the Gospel. There are here also some itinerant Methodist Preachers, the Followers of whom are numerous. And many of the Inhabitants of the greatest property are Dutch Calvinists, who have for some time past been using their endeavours to get a Minister of their own Sect among them. In the Home District there is one Clergyman who hath been settled here since the month of July last. The Scots Presbyterians who are prtty numerous here and to which Sect the most respectable part of the Inhabitants belong, have built a Meeting House, and raised a Subscription for a Minister of their own who is shortly expected among them. There are here also many Methodists & Dutch Calvinists.

In the Western District there are no other clergy than those of the Church of Rome. The Protestant Inhabitants here are principally Presbyterians.

From this Statement Your Excellency will be able to draw the proper Conclusions; and to judge how far the Establishing the Hierarchy of the Church of England in this Province may be proper & expedient.

I have the Honor to be
With the most profound Respect,
Your Excellency's
Most humble servant,
RICHD. CARTWRIGHT, Junr.

NEWARK, 12th October, 1792.

STATE PAPERS—LOWER CANADA.

LIEUT. GOV. ALURED CLARKE 1795.

Q. 58—1.

1791. March 10, War Department.

Knox to Richard Butler. That the President of the United States has appointed him a Brigadier General of the levies to be raised for six months and that during the command he is to have the brevet rank of Major General. Asks that he intimate his acceptance or non-acceptance of the appointment. Page 146

April 7, Mount Vernon.

President Washington to Brigadier Butler. His anxiety to have the battalion of Virginia put on a proper foeting has induced him to desire Colonel Darck (Darke) to appoint the officers, the Major to come to Philadelphia for orders, the other officers to begin recruiting. The arrangement of duties between him (Butler) and Darck (Darke). 143

April 21, War Department.

Knox to same. Colonel Drake (Darke), accepts the command. Clothing and tents sent to Winchester, Virginia, and to Hagarstown; others will be forwarded in ten days. Has not received information of the levies of this State (Penn). Levies marching from Jersey and Delaware. Asks him to make arrangements in Virginia and Maryland; the commanding officers to corresponed with him (Knox). 147

May 5, War Departments.

Same to the same. Repeats the information that clothing and tents have been forwarded. Shall say nothing further about Virginia and Maryland, presuming that arrangements have been made. Mr. Swan of his office goes to muster the companies at Winchester and Hagarstown. Details of the troops that have marched. St. Clair has descended the Ohio; it is to be presumed he has left orders at Fort Pitt. If not, what he (Butler) is to arrange about covering the upper parts of the Ohio. Orders to be sent to the county lieutenants of Virginia and Pennsylvania regarding the militia. Just regard shall be paid to the protection of the settlement of Marietta and the French settlements below. Supposes that St. Clair has directed all the regulars and part of the levies to descend the Ohio to headquarters. Does not intend to interfere with orders, but desires to have the militia discharged consistently with the other object of the troops. 149

May 12, War Department.

Same to the same. Swan sent off to muster and inspect the levies. Hears from Captain Freeman that the recruiting of the Virginians has succeeded well; the battalion should be ready to march on or before the 21st. Tents, &c., forwarded for the Virginian, and the same will be sent for the Maryland volunteers. Movements of the Jersey militia. To urge the completion of the battalion of Pennsylvania. The illness of Brigadier General Sevier has delayed the battalion he was to raise; he thinks it will be completed by 1st June. The recruiting in the Eastern States for the regular troops is not proceeding well; hopes it will soon be better. A company from Connecticut he expects to be shortly at Brunswick on the way to Fort Pitt, and others he hopes to be soon completed. If St. Clair has left no orders as to going down the Ohio, hopes that the movement may be delayed as his (Butler's) presence is necessary at Fort Pitt. 152

May 19, War Department.

Same to the same. Swan will be able to remedy defects in Maryland and Virginia respecting provisions and transportation. Is satisfied he (Butler) has gone to Fort Pitt. The depredations in Westmoreland have been committed by a few Indians, but the people are greatly alarmed. Arms ordered for Pennsylvania. A further sum of $1,000 sent for Duer,

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the contractor. To raise a company in Fayette County. What measures should be taken to dismiss the militia as the expense is grievous. The levies should be employed to cover the counties, that the militia may be discharged. The number of troops which will probably march for Fort Pitt by the 1st of June. Colonel Marshall employed by Mr. Hodgdon to purchase horses for the cavalry. Page 155

May 23, War Department. John Stagg, jun., to Butler. Introducing James Woodhouse, appointed Surgeon's Mate to Clark's battalion. 192

May 26, War Department. Knox to the same. As the Virginian levies are marching without arms to Fort Pitt, the armed troops are to be used to protect them. Arms, &c., sent to the Maryland levies. It is too late to send to Virginia as the levies there have already left. Sends schedule of troops which have been sent off. Repetitions and inquiries. 158

June 1, War Department. Same to the same. Duplicates sent. Movements of troops. 160

June 1, War Department. Same to the same. Introducing Hodgdon, Quarter Master to the army. 161

June 2, War Department. John Stagg, jun., to the same. Hodgdon, Quarter Master, has set out for Fort Pitt, to arrange for his department. 193

June 9, War Department. Knox to the same. Details respecting accoutrements, &c. Hodgdon, the Quarter Master, has means to provide for everything. Observations on supplies of various kinds. Proctor's mission having failed, St. Clair will not restrain Scott. No more troops to be kept on the upper Ohio than are necessary for defence. The recruiting service dull in New England; hopes, however, to be able to march 500 regular three years' men in the course of the month. Authorizes him to raise from one to four companies in Fayette County. Further remarks about the troops to be raised. Measures taken with the Six Nations must not interfere with the treaty to be held at the Painted Post by Pickering on the 17th. He is to join at headquarters so soon as he is not wanted at Fort Pitt, but he must obey orders from St. Clair. 162

Schedule of troops actually marched for Fort Pitt, enclosed in preceding letter. 172*a*

June 16. Return of ordnance and military stores, medicines and hospital stores, forwarded to Pittsburg for the use of the troops of the United States, by Samuel Hodgdon. 168

June 16, War Department. Knox to Butler. The want of beef is surprising. The contractor has been written to and the Quarter Master has money to meet exigencies; the contractor's arrangements. The dealings with the Five Nations not to interfere with Pickering's treaty. Details respecting the movements of troops. 173

June 27, Newton. Queries proposed by the chief of the Stockbridge Indians and answers by Pickering, on behalf of the United States, towards making a treaty of peace. 195

June 28, Fort Franklin. Jacob Slough to Butler. Sends Thomas Ray, who had been taken prisoner by the Indians and liberated by Brant and McKee: he has some important information. 199

Note follows, signed Vanswearingen to Butler, asking the character of Thomas Ray.

Also note unsigned, that the inhabitants of Pittsburg, give Thomas Rhea a good character. Major Hart (Heart) must have mistaken the person (see p 179). 200

July 4, O'Bealstown. Copy of a speech (signed by the chiefs) sent to Cohochto, where the Council is held, urging that peace should be made, which Brant has been

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sent to procure; he had, instead of that, taken up the tomahawk. It is their desire that it should be taken out of his hand. Page 211

July 5, O'Bealstown. de Bartzchie to Captain Slough. Report of his proceedings with the Indians at Buffalo Creek. Arrival of two letters, in one of which it was stated that Brant had gone to secure peace with the United States, but on learning that the American Army had crossed the Ohio, the council decided that the United States did not want peace, so the tomahawk was handed about, coming last to Brant, who saw no other way to save his life but to take it up also. The commanding officer at Niagara had sent word to the Indians not to stay long at the Painted Post, but to return quickly as Sir John Johnson wanted to meet them in council. Change of resolution on the part of the Indians, who have made up their minds to join the Americans and not to take the advice of the British. It will be the last of the Five Nations if they do not comply with the invitation of the Americans. 212

July 7, War Department. Knox, Secretary at War, to St. Clair. Had written regularly. Hopes that Brigadier General Harmar would reconsider his resolution to resign. Sends copies of letters to Major General Butler on the measures for the discharge of the Militia and Guides, and schedule of the troops marching and to march during this month. How he should obtain additional men. If General Scott's expedition should be satisfactory to Kentucky, there could be no doubt of raising another body of mounted volunteers; 500 would be sufficient. With such a body mixed with his regular troops, his movements should be irresistible; the expense would be amply repaid by the service rendered. To engage the volunteers and dismiss them as he may think proper. Arrival of the President. Provisions to be secured should there be deficiencies on the part of the contractor. 116

July 14, War Department. Same to the same. The fate of Scott's expedition must have been decided before this, but is still in the dark. General Butler's letters from Fort Pitt are encouraging; he had no doubt transmitted Rhea's affidavit; some things in it are doubtful, but others are true. Care must be taken not to involve the United States with Great Britain until events arise to impress the people of the United States and the world at large of the injustice of the procedure of that power, a war with which would at present retard the power, growth and happiness of the United States almost beyond calculation. The information by Rhea will strengthen the propriety of assuming the position with a high hand. The prospects of being joined by additional troops; recruiting continued. The bounty of six dollars should fill the regular troops from the levies. 123

July 14, War Department. Same to Butler. To report the arrangements he has made with the county lieutenants. The defects relative to the beef have been remedied. No information yet received respecting Scott's success. Movements of troops. 176

July 16, Newtown. Pickering to Secretary at War (Extract). That Captain Hendrich had gone on an expedition to visit the hostile Indians. 215

July 21, War Department. Knox to St. Clair. Letter received. Sends duplicate and other papers. On the arrival of Captain Phelen, he will be able to form a judgement of the number of auxiliary troops wanted from Kentucky. Remarks on the commissariat. The office of Adjutant General is not provided for by law; if an officer of that description is appointed he must depend on an after provision by Congress; he (St Clair) must determine the rank and pay. Reports of Scott's successful expedition, but nothing to be depended on. Has no information of Pickering's treaty being yet closed. Sends copy of de Bartzché's information. The President desires that, as the troops are assembled, posts of communication are to be established;

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he is anxious that the campaign be distinguished by decisive measures, so that the expense may be justified. Page 119

July 21, War Department. Knox to St. Clair. Recommending Dr. Gresson, a French emigrant, for employment. 130

July 21, War Department. Same to Butler. Recommending Dr. Gresson, a French emigrant, for employment. 178

July 21, War Department. Same to the same. On the 13th of June, no troops had reached St. Clair; but Major Ferguson with troops arrived on the 14th, part of them on the 15th. Requests that all may be embodied at head quarters with all dispatch. Movements of troops. Stores forwarded by contractors. Major Heart reports the infamous character of Rhea. The interest of the British is not to encourage an Indian war, and their agent here asserts the contrary to Rhea's information; it is probable that Brant went to the Miamis Towns with the object of peace, and that Sir John Johnson's treaty is to the same effect. The object to be attained by Pickering in his dealings with the Indians. Respecting movements; the President is anxious that St Clair should begin operations as early as possible. 179

July 26, Pittsburgh. Butler to Lieut. Jeffers. He is to proceed to Fort Franklin and to make minute observations respecting the feelings and movements of the Indians, reporting the result by the 20th of August. 201

July 28, War Department. J. Stagg, Jr., Chief Clerk, to St. Clair. Sends communications from Timothy Pickering relative to Captain Henderich Aupumut, chief of the Stockbridge Indians, who has gone to the hostile Indians in the interests of peace. Sends extracts from other documents. 131

July 28. Tobias Lear, Secretary to the President of the United States, to John Stagg, junior. That letters from Pickering to St. Clair should be sent to Butler without a seal, so that he, seeing their urgency, may have them forwarded without delay. 145

July 28, War Department. John Stagg, Jun., to Butler. Letters received; duplicates sent. Movements of troops. News of Scott's successful expedition. 183

August 4, War Department. Knox to St. Clair. Letters received with enclosures from General Scott, the success of whose expedition will probably be attended with beneficial consequences and prepare the minds of the Indians for peace. Repeats the statement that he (St. Clair) should be enabled by the arrival of Phelen to decide what additional troops he requires. Movements of regular troops which will not be in time to make part of his (St Clair's) army. Powder and lead sent off; shells and shot to be sent immediately. Commissariat arrangements. As little baggage as possible to be taken. Arrangements for the defence of the Ohio. Desertion to be checked by decided examples; the rules and articles of war will probably be changed by Congress to provide for a gradation of punishments. It is reported that Brant had gone for the purpose of securing peace and this is repeated by a gentleman in Lord Dorchester's confidence. Sir John Johnson is to assemble the Five Nations at Buffalo Creek immediately. If the British policy frowns upon Indian hostilities and the Six Nations keep quiet, with his intimation that the United States desire to be at peace with the Indians, the posts can probably be established without opposition. The treaty between Pickering and the Indians closed on the 15th; they were not asked to join the army. Big Tree from O'Neal's (O'Beal's) Town offered to help to make peace, but his offer was refused. The President of the United States is anxious that operations should begin at the earliest moment. 132

August 4, War Department. Same to Butler. Is gratified to learn that the troops are ready to descend the Ohio. The President of the United States is anxious that

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they should assemble at Fort Washington. Movements of troops. A Board of Officers will adjust the rank of all officers. Hopes that he has taken measures to suppress the officious interference of de Bartzché, the Frenchman, or any other person with the Indians. Pickering's Treaty satisfactorily finished; he did not ask any of the warriors to join the expedition. Page 185

August 11, War Department. Knox to St. Clair. Duplicates sent. The President of the United States is anxious that the troops on the upper part of the Ohio should assemble at Fort Washington to begin operations. No further instructions necessary. The difficulty of raising troops in the ceded territory reported; about 200 had marched under Rhea for Fort Washington; the others would be forwarded immediately. Treaty concluded with the Cherokees. All quiet, except that a few rascally Creeks are committing depredations on the Cumberland settlements. 138

August 11, War Department. Same to Butler. The President of the United States regards it as an unhappy omen that all the troops had not yet descended the Ohio. The essential objects of the campaign should not be delayed for the protection of the frontiers against a few straggling Indians; the counties are strong enough for that. He is to proceed at once to headquarters. He is to expect no troops after Phelen arrives. 187

August 16, Fort Franklin Lieut. Jeffers to the same. Report of his proceedings among the Indians. Corn Planter's friendly speech. Dissatisfaction of the Indians on the Alleghany with the Treaty at the Painted Post. Corn Planter contradicts stories told by Phelps, the Indian agent. He (Jeffers) cannot find out Brant's business to the west; reports made by Corn Planter of what was done at Buffalo Creek; he thinks some of the Six Nations will join the United States' army. He (Jeffers) was told that 1,600 warriors were assembled for war, 800 at Detroit and 800 at Miamis town, but that they had dispersed. It would be to throw away public money to send commissioners to Buffalo Creek. Reinforcement needed for this garrison. He remonstrates against relieving Bond; Stiff Knee sent to Buffalo Creek to recover two horses. Asks to enlist the six months' men for three years. Meat wanted. 204

August 18, War Department. Knox to St. Clair. Duplicates sent. Newman would not arrive at Fort Pitt till the 28th, and Buell about the 10th of September. No other troops are on the march, except about thirty from New Hampshire. All the stores forwarded. Test of powder, reported to be of inferior quality, is satisfactory. The report of inferiority to be kept from the troops, as it may destroy their confidence; it has arisen from jealousy on the part of some dealers. The anxiety of the President of the United States that the campaign should be successful. 140

August 18, War Department. Same to Butler. Commissions sent for Major Clarke's battalion and blank commissions for the additional company. Is pleased to hear of the harmony that exists among the troops. 189

August 25, War Department. Same to same. The dissatisfaction of the President of the United States at the long delay on the upper part of the Ohio; it may cause the loss of all that has been done this season. 190

September 1, War Department. Same to same. Is surprised that Captain Newman has not yet arrived at Fort Pitt. Will submit his letter to the President. It is to be devoutly hoped he will have a speedy passage down the Ohio, so that the remainder of the season may be embraced for effective operations. 191

September 9, War Department. John Stagg, jun. to the same. Letter received and duplicate sent. 194

October 27, Detroit. Information by John Wade, a deserter from the American Army, into which he had been forced. Composition of the army; the artillery and

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stores. Blockhouse built at the Great Miami; others to be built at Mad River, and the Miamis Town. It is proposed to come within 60 miles of Detroit and establish a post. Succours expected from Kentucky; the militia revolted at Lexington because they were to be placed under martial law and that they were refused high pay and permission to plunder without distinction. Enlistment for seven years is going on in the States, with $30 bounty. What Butler and other officers said about taking the posts. Page 51

October 28, Delaware Town. Simon Girty to McKee, that 1,040 Indians are going to-day to meet General Butler and his army, to attack them on the march. Butler was to leave his last post to-day with 2,200 men; this is confirmed by reports of deserters, who add that he has five pieces of cannon and two cohorns for the new post. He has 320 Kentucky militia and 100 light horse. The militia had demanded five shillings a day which St. Clair refused them, they had also insisted on being commanded by their own officers. The deserters say that bad usage and scarcity of provisions obliged them to quit the Army. The Indians were never in better heart and are determined to drive the Americans to the Ohio and to starve their posts. The principal American officers are St. Clair, Butler, Gibson and Duncan. 49

November 1, Foot of Miami Rapids. A. McKee to Sir John Johnson. The council to be held here by the Western Indians, to meet their deputies, laid aside on the approach of a force to the Miamis towns. Had sent off an interpreter for intelligence; the affair between the Indians and Americans will be settled in a few days. The Wabash Indians, whose villages were surprised and women and children taken prisoners, have gone to treat with the Americans. Some it is reported have joined their army. He intends to remain some days to wait the result. 47

November 1, Camp 83 miles from Fort Washington. Colonel Darke to Mrs. Darke. Had arrived at Fort Washington on the 29th August, and had marched 83 miles in better than two months. It takes all the men that can get near him to lift the Commander off his horse, and now a litter is made for him. Thinks that they will have to return as the time of most of the levies will expire this month; the food has been long since killed with the frost and the horses dying every day; constant desertions. If the march back is as slow as the advance it will be March before they can reach Fort Washington, but the men being then free, hopes to arrive there in a week from this scandalous expedition. The Indians have done little mischief but steal horses, of which details are given. Hopes to get back to Kentucky in two weeks. 216

November 1, Camp 83 miles from Fort Washington. Same to ———. A short note the substance of which is in the letter to his wife (p 216). Hopes to see him soon to recount his exploits, &c. 220

November 1, Camp 83 miles from Fort Washington. Same to Colonel Moran. Criticisms on the conduct of the expedition, substantially as in the letter to his wife (p 216). The Indians have killed five men and taken two prisoners. 221

November 4, Detroit. Information by John O'Neill, a deserter, trepanned when drunk into the American Army at New York, and being still a British subject, he deserted at the first opportunity. He believes that at least 700 of the army are soldiers who served His Majesty and enlisted for a purely Indian campaign, but will not bear arms against His Majesty by attacking Detroit. Maurice Geary says he also was trepanned. He left Ireland fourteen months before, and wishes to be sent back. 54

November 12, Quebec. Lieut. Governor Clarke to Dundas (No. 9) with minutes of the Council on State business from 26th August to 14th October. 12

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October 14, Quebec. Minutes 14th October. Justice Fraser takes the oath as a Privy Councillor and Lieut. Governor Clarke as judge of the Court of Appeal. Page 13

Report of the Committee on inland navigation, relative to the proposals for the carriage of His Majesty's stores and effects from the landing place of Niagara to Chippewa Creek by the new road on the west side of Niagara River. The report and proceedings are given in full. 14 to 41

(The report includes offers from Philip Stedman, junr., with securities, &c., and from Hamilton, Forsyth, Cunningham and Burch. The latter offer was accepted.)

The consideration of the state of the ferry at Jacques Cartier referred to a committee. 42

Leave of absence to Davison. 42

November 12, Quebec. Lieut. Governor Clarke to Dundas (No. 10). Arrival of Lieut. Colonel Simcoe on board the "Triton" on the previous day. Had received by him a new commission of Lieut. Governor of Lower Canada, and dispatches addressed to Lord Dorchester with a copy of the new Act for the government of the country, authority to fix the time when it shall come into force, with order for dividing the Province, instructions and commissions. 1

November 23, Quebec. Same to the same (No. 11.) Has issued a proclamation of the division of the Province, to take effect on the 26th of December next. 3

Proclamation. 5

December 1, Quebec. Clarke to Dundas (No. 12.) Sends duplicate and calls attention to the differences in the description of the boundaries of Upper and Lower Canada in Lord Dorchester's commission and in the Order-in-Council of 24th August. 44

December 2, Quebec. Same to the same (No. 13.) Sends papers by which it appears probable that there has been before this an action between the Americans and Indians. 45

(Enclosures dated in October and November calendared at their respective dates.)

December 2, Quebec. Clarke to Dundas (No. 14.) In consequence of the order to raise a corps of infantry for Upper Canada, calls attention to the insufficiency of the contract for the supply of provisions, and submits the propriety of extending the contract. 56

Return showing the number of rations issued daily. 57*a*

December 5, Quebec. Clarke to Dundas (No. 15.) Submits the question of having distinct Provincial Great Seals for Upper and Lower Canada. 58

December 5, Detroit. McKee to Sir John Johnson. Had reported the engagement between the Indians and Americans on the 4th of November, in which the latter lost all their artillery, baggage, ammunition, &c., and had 1,200 men killed. Further information shows that the report of the loss sustained by the Americans was not exaggerated, but the reverse, as the statement of many of the prisoners makes the loss 1,500. Sends copies of such of the letters taken after the battle and brought in, as seem to be official or interesting; these he sends with Quania and 10 men, who were the only Six Nation Indians who took part in the fight. The success of this small party of Indians (1,040 in all) will no doubt encourage the others to assemble. What is to be done about supplies? The territory which the Americans are trying to wrest from the Indians is the only part on which they can subsist. If the terms of peace offered by the Indians had been accepted, there would have been no occasion to deplore the effusion of so much blood. It is to be hoped that the Americans may now listen to the voice of equity and reason,

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and establish a firm and lasting peace on the principles of natural justice and humanity. Page 223

December 30, Niagara. Joseph Brant to Joseph Chew, Secretary of Indian Affairs. Description of the attack on St. Clair's camp and his defeat. Before the engagement 200 Kentucky Militia had deserted and 300 men were sent after them to prevent them from plundering the provisions that were expected, so that there were only 2,200 men in the camp when it was attacked, of whom only 800 got off, leaving the wounded who could not march. 227

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January 4, Quebec. Clarke to Dundas (No. 16). Death of Adam Mabane; sends the names of three persons qualified to succeed him in the Executive Council. His death leaves a vacancy also in the Court of Common Pleas. 68

January 5, Whitehall. Dundas to Clarke. That the person sent from Russia to instruct the Canadian farmers in the growing of hemp is now in London. Written instructions sent, in case he should arrive in Canada too late in Spring. 9

Instructions by Reichel, referred to, in German, with a translation. 10, 11

January 11, Quebec. Clarke to Dundas (No. 17). Recommends Henry Caldwell to succeed Mabane in the Legislative Council. 70

January 11, Quebec. Same to the same (No. 18). Sends estimate of the repairs to the fortifications, with the cost of materials. Repairs had been ordered by Lord Dorchester in 1789, and continued during each summer since; this being only a continuance of the work begun, he has approved of the same. How the expense is to be met. 71

Estimate of the expense of repairs dated 1st December. 73

Estimate of the expense of materials. 76

January 11, Quebec. Clarke to Dundas, (No. 19). The doubts that have arisen as to the oaths to be administered to the Catholic members of the Executive Council; how the difficulty was settled; asks that definite instructions be sent to remove these doubts. 78

Minute of Council in reference to the question. 80

January 12, Quebec. Clarke to Dundas (No. 20). Has appointed Jenkin Williams to succeed Mabane as Judge of the Court of Common Pleas. His character and qualifications. 84

February 11, Quebec. Same to the same, (No. 21). Had issued a proclamation respecting the granting of Crown Lands. The modifications in the proclamation to meet the views of Simcoe. No table of fees exists for the grants of land; a scale is made for Upper Canada, it would probably be thought advisable to have the same for Lower Canada; in the meantime a table would be prepared by the Governor and Council, to be continued till the other is ordered. 97

Proclamation (English 99; French 103). 99, 103

The same for Upper Canada. 108

February 11, Quebec. Clarke to Dundas (No. 22). Sends copies of letters taken by the Indians after the defeat of the United States troops. These are from Knox, the Secretary of War, to St. Clair and Butler. Correspondence respecting the upper posts forwarded. 112

(Schedule of the letters and papers enclosed, calendared at their respective dates). 113

March 10, Quebec. Clarke to Dundas. Transmits a petition from inhabitants, natives of Europe, but not naturalized, to have the doubt removed of their capacity to be elected and of voting for members of the House of Assembly. They are all good subjects. 23

Petition, with signatures. 23

The report of the Advocate. Attorney and Solicitor General. 238

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March 15.
Whitehall.

Dundas to Dorchester. Asks his report on proposals to be made to the United States for an Indian reservation to serve as a neutral border between them and the British possessions. Page 59

March 16,
Whitehall.

Same to Clarke. Sends copies of letters respecting the disputes between the Indians and the American States. Hammond is authorized to propose His Majesty's good offices for the establishment of a permanent peace between them, on the principle of securing an Indian reservation. He and Lieut. Governor Simcoe are to send a qualified person to be of assistance to Hammond in the determination of the proper territory for this purpose. Givens to be employed as the bearer of dispatches to and from Hammond. McKee seems a proper person to send to Hammond from his local knowledge and his intimate acquaintance with the wants of His Majesty's subjects. How instructions are to be given to McKee. 63

March 17,
Whitehall.

Same to Givens. Instructions respecting the delivery of dispatches to Quebec; he is to obey such orders as he shall receive there. 67

March 23,
London.

Dorchester to Dundas. Remarks on the proposal to secure an Indian reservation for a boundary between Great Britain and the American States. All doubtful points in reference to the boundaries should be definitely settled to remove the cause of future misunderstandings. 86

April 10,
Whitehall.

Dundas to Clarke. The difference of expression in Lord Dorchester's commission and the order in Council respecting the boundaries is immaterial. Warrant sent for a Provincial Great Seal. Instructions will be sent to remove doubts as to the o hs to be taken by Executive Councillors. Approves of the estimate for repairs, but those for 1793 must be sent before September. 93

March 10,
Whitehall.

Same to Sir John Johnson. Why his name was omitted from the list of Executive and Legislative Councillors for Upper Canada; the high estimate in which he is held by His Majesty. Leave of absence granted. The importance of preserving cordial communication with the Indians. 95

May 5,
Whitehall.

Same to Clarke. In addition to the instructions, &c., respecting the good offices intended to be interposed between the American States and the Indians, other papers are sent, so as to enable him to form a correct judgment as to the present boundary. The great object is to interpose a barrier by means of the Indians, or, where thinly scattered, by the strength and situation of the country, so as to prevent encroachments on either side. Desires him to furnish Hammond with useful particulars; to ascertain what frontier would be most desirable and to send his observations. 229

November 16,
Whitehall.

Same to same and Simcoe. (The same letter to each). (Private). The qualifications of Givens; how he is to be paid. 65

No date.

Deposition of Thomas Rhea, taken prisoner at Cassawago by the Indians and carried to Sandusky. Reports Indians there, and war parties coming in with negroes, horses and other property, and a white prisoner. Removal of the Indians to Rocher de Bout, on the Miami, where were Brant, McKee, Bunbury, Silvie and Elliott, distributing stores, &c., to the Indians. Rhea taken to Detroit where, he says, were also Indians, who were furnished with supplies. Reports that he heard threats made by Girty and others. Arrival of a large body of uncivilized Indians, armed only with bows &c. Rhea sailed in the "Dunmore" for Fort Erie, where the vessels took in large guns, two companies of artillery and troops for Detroit and the upper posts. Arrival of a party of Indians at the Ottawa River, with arms, clothing, &c., of a sergeant, &c., who had been killed. 126

LIEUT. GOV. ALURED CLARKE 1792.

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1792. April 28, Quebec. Clarke to Dundas. Sends minutes of Council on state business and on waste lands of the Crown, to the 24th of December, which complete the proceedings to the period of the division of the Province. Page 242

24th December, 1791. Minutes, 24th December. Report on Public Accounts, with Journals, tables, &c. 243 to 285

References left over, there not being time to report. 286

Report on the memorial of Jonathan Sewell. 287

Report respecting the reference in the case of Judges Fraser and de Rouville. 291

14th October, 1791. Minutes concerning waste lands, 14th October. Reports referred to Committees. 294

Richard Cartwright and William Atkinson appointed members of the Land Board of Mecklenburg. 296

Letter from Detroit stating the difficulty of finding two proper persons to be members of the Land Board of Hesse. 296

Report on Butler's petition for lands in Nassau. 298

Report respecting the settlement of waste lands in Hesse, with proceedings, evidence and correspondence. The report also includes the question of Indian reserves, the selection of town sites, &c. 300 to 365 371

Report on lands to be set aside as commons in new districts 365

On petitions from John Wilson and Rev. Mr. Doty. 368

On the minutes of the Land Board of Luneburg. 373 to 387

On papers of the Land Board of Mecklenburg. 388 to 405

On the proceedings of the Land Board of Luneburg. 405 to 419

On the proceedings of the Land Board of Hesse. 420, to 454

On instruments in the Surveyor General's office, with schedule. 454 to 462

On the schedule of plans in the Surveyor General's drawing-room. 463

On the petition of James Sawers. 465

On the petition of Lieut. Alex. McDonell. 467

1792. June 7, Whitehall. Dundas to Clarke. Has received accounts of the hostilities between the American States and the Indians. Sincerely hopes ahat His Majesty's good offices may restore peace, and at the same time procure security for Upper and Lower Canada. Caldwell appointed to the Legislative, and McGill to the Executive Council. The appointment of Williams as a Judge of Common Pleas is confirmed. Shall defer his answer to the Memorial of the inhabitants respecting the right to vote, &c. 240

LIEUT. GOV. ALURED CLARKE—1792.

Q.59—1. Q.59—2.

1791. March 21, Philadelphia. Instructions by the Secretary at War to St. Clair, in command of the troops to be employed on the frontier during the campaign of that year. Pages 414 to 442

Instructions to Colonel Thomas Proctor, dated 11th March. 443 to 450

Message to the Senecas (451), to the tribes of the Miamis Town, (454), both dated 11th March. 451 to 457

December 19, Philadelphia. Pickering to the Sachems, chiefs and warriors of the Five Nations, inviting them to come to Philadelphia to a council, and asking that Joseph Brant accompany them. 342

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January 3, Oneida.

Samuel Kirkland to Brant. Had been pleased to get his letter last summer, in which he gave reason to hope he (Brant) might visit the seat of Government. The resolution communicated by him (Kirkland) on the part of Congress that it was intended to treat the Indians with strict justice and humanity. Presumes that the hostile state of things at the Miamis had prevented this visit. He (Kirkland) has now removed his family to the neighbourhood of Oneida. Cannot yet relinquish the hope of getting some of the Indian tribes civilized. Has draughted a plan for this purpose. The civilization of the Indian tribes has become an object with government. The Creeks and Cherokees begin to feel the good effects of it. This establishment is not a little indebted to the humanity and wisdom of the President and he does not wonder he (Brant) wishes to see him. The satisfaction of the Indians with the treaty made between them and Pickering at Newtown Point. Urges him (Brant) to accept the invitation to come with the other chiefs to Philadelphia. Should the journey be inconvenient he (Kirkland) would meet him at Genesee or any other convenient point, to discuss matters with him. The important services he might render to the cause of humanity. Mr. Monroe intends to write; Mr. Phelps and others will be glad to see him. Offers to accompany him on the whole tour and to pledge even his own life for his safety. Page 347

January 19, Grand River.

Joseph Brant to Chew (extract). That a meeting of Indians and a few whites living among them is to be held here to regulate some matters for the good of the public. He believes they will be independent of the Buffalo Creek Indians as a consequence of these Indians being kept from crossing and the "Yankees" have lost no time in confirming them in their hostility. Understands that some of the members of the Opposition in Congress wish him to go there, to learn how the Indians should be treated, in order to obtain peace. Will go if strongly pressed, but not otherwise. 346

January 25, Kanawagea.

Kirkland to Brant. Had arrived here on Saturday. Recapitulates the contents of his letter of the 3rd, which he is afraid he has not received. Has engaged Dr. Allen as an express to carry this to Niagara to be forwarded so that it may be answered. Repeats his request for a personal conference. 353

January 28, Foot of the Miami Rapids.

McKee to Sir John Johnson. Had written sending copies of papers taken by the Indians. Had received more papers, copies of which he would send. Was desirous to ascertain the temper of the Indians after their successful engagement, they are more attached to the British Government in proportion to the hatred they bear their enemies. The scarcity of corn among the Shawanese, Miamis and Delawares had compelled them to hunt for food and prevented them from joining the others. They are now collecting, they are leaving the old village and preparing to fix themselves within half a days march of this place. Their urgent request is for corn for their families. Deserters reported great distress at Fort Jefferson from want of provisions, but a supply has been since got in. 355

February 5, Niagara.

Colonel Gordon to Clarke. Visit of a deputation of Indians from Buffalo Creek, whilst Brant was at the post. Sends papers which will explain the cause of the visit, &c. Encloses proceedings of a private council held with them. 334

Report of the proceedings of a private council held with the chiefs of the Five Nations at Niagara on the 31st of January. Speech of the Fish Carrier, a Chief of the Five Nations, expressing doubt of the prudence of accepting Pickering's invitation to go to Philadelphia, giving the reasons. On the 3rd of February, after consultation the chiefs determined not to go to Philadelphia and to send to Genesee to stop any that might

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have returned from the hunting until after the council at Buffalo Creek. Page 335

February 14, Miamis. Major Smith to George Leith & Co. General discontent among the Indians. Speeches with a large belt of Wampum will soon be here. The others are waiting for the Kickapoos. The Miamis and Delawares go to the Illinois in the spring; it is time to be off this ground, as, if not assisted soon, it will be farewell to the Indian trade. 379

February 14, Miamis. Same to McKee. The dissatisfaction of the Indians and a secret affair apparently in agitation of which the Shawanese know nothing. 381

February 18, Rapid du Loup. Charles Baubin to Major Smith (in French). Complains of the presence of vagabonds at the Miamis, who excite the Indians to plunder the traders and to demand their goods for nothing. Loyal subjects cannot travel in safety; he himself has been threatened and he asks for protection. 383

February 25, Philadelphia. General Knox to Brant. Invitation to visit Philadelphia, to consult upon the best means of civilizing and advancing the happiness of the Indians. The reluctance of the United States to engage in hostilities with the Indians, and they are desirous to bring the hostilities to an end, not from apprehension as to the result; it must be utter destruction to the hostile Indians, and for the sake of humanity it is desired to avoid such a catastrophe. 362

March 3, Detroit Major Smith to Gordon. Report that Fort Jefferson has been evacuated, that the Americans came with sleighs to bring off the cannon, but could not discover them. The original instructions from the secretary at war to St. Clair were brought in last night; copies shall be sent. 387

March 5, Detroit. McKee to Sir John Johnson. Learns that hostile belts have been sent to the Miamis. A Delaware invited them to come to the Illinois; his speeches have caused confusion among the Indians. Elliott is sent to learn the truth and to distribute corn and other provisions. Original instructions to St. Clair brought in by a scout. They were got from George White Eyes, who has many more papers. Burns, who accompanied White Eyes, was examined by the Indians at their council and suffered death by the hatchet. Scout reports that the advanced posts from Fort Washington were evacuated. Five Chippewas on the south side of the lake taken by a party of Senecas and Americans and carried to Fort Pitt. 388

March 9. Philadelphia. Knox to Brigadier General Charles Scott. The desire to impress the Indians with a sense of the power of the United States to inflict punishment. The President avails himself of the offer of the delegates of Kentucky and other frontier counties of Virginia, to fight the Indians in their own manner. The President authorizes an expedition on condition prescribed. 458

March 20, Niagara. Gordon to Brant. Forwards the packet brought by Dr. Allen. Understanding that it is an invitation to go to Philadelphia, doubts if that is the proper place to negotiate a peace, as many of the Western Nations cannot be there, and a decision of the Six Nations would cause jealousies. A general council should be called at which Commissioners could be present from Great Britain and America, by which means a solid and permanent peace could be established. The previous dealings of the United States with the Six Nations, who at this critical time with the Western Indians should be very cautious. Great Britain is at peace with the United States and is earnestly desirous the Indians should be so also. Still hopes that this is not far distant. 365

March 21, Philadelphia. Extract from the instructions by General Knox to St. Clair relating to the establishment of a post at the Miamis; its object to overawe the Indians. Should the British officers regard this post with jealousy, he is to try to remove such a disposition; it is not the inclination or interest

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of the United States to enter into a contest with Great Britain. The delicate situation of affairs may therefore render it improper at present to make any naval arrangement on Lake Erie. Page 384

April 2, Fort Washington. General Wilkinson to the Commanding Officers of the Militia of Kentucky (circular). That overtures of reconciliation have been sent to the different tribes. Orders are therefore sent that the Militia forbear from all hostility. 397

General order to this effect, dated the 3rd April, follows. 398

April 3, Fort Washington. Talk sent by Wilkinson to "the Miami, Shawanese, Delaware, Tawa, "Pottawatamie, Huron and the Chippeway and all other Nations of Red "people living on the waters of the Ohio, Mississippi, and the Great "Lakes, now at war with the United States of America," desiring them to come to a council to settle a peace. 399

April 18, Nassau. Butler to Gordon. The Onondago Chief went to the Grand River to look for a place to settle on. Does not know what passed between Brant and the Tuscaroras. 375

April 19, Niagara. Colonel Gordon to Clarke. Letter from Brant brought by a messenger and forwarded. Brant has sent a civil answer to General Knox, declining to go to Philadelphia. The messenger has been told that all such letters as that he brought to Brant should be sent through official channels. 359

April 19, Niagara. Same to Le Maistre. Arrival of a deputation of Tuscaroras, to report that the Americans insisted that they with some Oneidas, settled in the same village in the Genesee Country, should retire to the old settlement on the Mohawk, so as to remove them from the influence of the British Government. The Oneidas, after vainly applying for leave to settle on the Grand River, had agreed to retire. The Tuscaroras were of a different opinion and would give no answer till they knew what to expect from the British. Neither Butler nor he (Gordon) could give an answer but agreed the deputies should apply to Brant, who was in possession of instructions respecting former applications. Unless steps are speedily taken all influence with the Indians will be lost. The Americans are reported to be building a large fort at Presqu' Isle on Lake Erie; that O'Beal (the Corn Planter) since the conclusion of peace, is not so friendly to the Americans as he has been, and had positively refused to go to Philadelphia, to which many of his Nation had gone from Buffalo Creek. 369

Substance of a speech delivered at Niagara by a chief from Buffalo Creek, recommending the Six Nations to remove to the Grand River, communicated by Butler, who had recommended them to remain where they were for the present. 372

April 19, Niagara. Gordon to Le Maistre. Sends the latest official dispatches from Detroit. 376

Speech (undated) from the Indians at the Glaize, asking for a supply of corn. 377

April 28, Quebec. Clarke to Dundas (No. 25). Sends minutes of Council. The inconvenience that may arise from its being enacted that the Governor or Lieutenant Governor shall always preside in the Court of Appeals. Provisions as to the judges; who are to sit; the number to constitute a quorum of the Executive Council. Asks that the Governor have power to appoint *pro tempore* in case the number shall fall below this. 1

26th December, 1791, to 9th January, 1792. Minutes, 26th December, 1791. Commission read, and oaths of office administered. 4

Proclamation for continuing the several officers of Government. 8

Minutes, 27th December. Oaths to officials and routine business. 11

Minutes, 9th January, 1792. Certain articles of His Majesty's instructions communicated and entered. 13

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4th February Minutes, 4th February. Report on the reference in the King's instructions respecting the waste lands. 42

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24th February Minutes, 24th February. Report on the Bill relating to causes in appeal. 156

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2. To facilitate the production of parole proof in civil causes (English, 171; French, 176). 171, 176

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April 28, Quebec. Clarke to Dundas (No. 26). Sends minutes respecting the waste lands of the Crown. Transmits memorial of William Porter, respecting emigration from Ireland and Scotland. 189

4th February Minutes, 4th February. Report of Committee on the reference in His Majesty's instructions with copy of a proclamation. 190

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Copy of the 36th Article of the Royal Instructions sent to John Coffin, Deputy Surveyor of Woods, for his report. 201

Minutes, 2nd March. Report respecting a new survey of the St. Lawrence. 202

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to townships. 243

Consideration of the same by the Committee of the whole Council (see also pages 266 to 268). 250

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Minutes, 10th April. Reports on applications for land. The memorial of William Porter, in reference to obtaining emigrants from Ireland and Scotland, is given in full. 270

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11th April. Minutes, 11th April. Report of the Land Committee on petitions continued. 301, 302

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Report of the Committee of the whole Council on the proposal of the Land Committee as to the mode of conducting the business. 309

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Concerning lands claimed by the Acadians at Gaspé. 318

April 28, Quebec. Memorial by William Porter (p. 319) and report (p. 321). 319, 321

April 28, Quebec. Clarke to Dundas (No. 27). Sends naval officer's returns of vessels entered and cleared at Quebec. 325

April 28, Quebec. Same to same (No. 28). Report on the cases of Alexander Henry Thompson, James Gale and Abraham Hamel, convicted of murder committed five years ago, out of the jurisdiction of the Province (see letter of 10th July, p. 329). 330

April 28, Quebec. Same to same (No. 29). Sends extract of letter from Colonel Gordon, respecting proceedings of a council of Indians at Niagara, to consider an invitation to go to a meeting at Philadelphia; about forty, it is reported, went, although they had declared they would not go. Letters from Brant that he had been invited to Philadelphia; had declined, but offered to meet the United States missionary, Kirkland, at Buffalo Creek. Letters enclosed. 332

(The enclosures are calendared at their respective dates:—Gordon, 5th February, enclosing report of Indian Council; invitation by Pickering, 19th December, 1791; Brant, 19th January, 1792; Kirkland, 3rd and 25th January; A. McKee, 28th January).

May 21, Lenox. Brant to Gordon. That he had determined to accept the invitation to go to Philadelphia. 412

May 22, Lenox. Same to same. That Butler had recommended him to go to Philadelphia. 413

May 23 Lenox. Same to McKee. That he had accepted the invitation to go to Philadelphia; the evasive answers of the officers of Government. The time has come for Indians to defend themselves against the ravages of the Americans; if Great Britain wishes them (the Indians) to defend their country, why not say so, and the same should it be the reverse. There is now a field open for accommodation with the Americans, which it is for their (the Indian) interest to take advantage of. If the demands cannot be complied with, then a defensive war may excite the pity of Great Britain. His visit to the American seat of Government will enable him to form an idea of their intentions. Shall not be backward in telling them what is necessary to secure peace. The Americans have paved the way for peace; they may probably resign pretentions they would not do were the Indians the solicitors. Had not received answer to letters written to Sir John and Chew last winter. 4[illegible]

May 26, Quebec. Clarke to Dundas (No. 30). Sends copies of letters and enclosur[illegible] from Colonel Gordon, and one from McKee. Has not yet received copi[illegible] of the Secretary at War's instructions to St. Clair, or of Brant's let[illegible] declining Knox's invitation to visit Philadelphia. 358

(Enclosures dated in February, March and April, calendared at their respective dates).

May 30, Niagara. Gordon to Le Maistre. Brant had accepted the invitation to go to Philadelphia; had declined to interfere. 412

June 11, Montreal. Sir John Johnson to Clarke. The necessity to ascertain the determination of the Indians respecting the boundaries &c., before any one should be sent to Hammond. Reasons why McKee cannot go; he (Sir John) would go himself, but he is proscribed by an act of attainder. Is at a loss to know whom to recommend; Dease is capable, if his situation is not an objection. McKee would wait for dispatches to learn the decision as to assembling the Indians. How the person employed might go through the Indian towns on his way to New York or Philadelphia, or go on to Sandusky, and by way of Fort Pitt, as McKee may think safest. 404

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June 13, Quebec. Clarke to Dundas (No. 31). Dispatches and documents received. Sends copy of a proclamation from Fort Washington to the Miamis for a cessation of hostilities, for two months between the Americans and Indians. Taking advantage of this, McKee came to Montreal. He and Sir John Johnson asked to meet with Simcoe and him (Clarke) at Quebec. The question of McKee assisting Hammond in his negotiations with the United States; the difficulties in the way. Sir John Johnson asked to take his place; he is of opinion that it is unsafe and that besides the determination of the Indians should be got before any one could be dispatched to Hammond. Shall give directions to have the Indians assembled, and in the meantime will send Givens to Hammond with information. This he thinks the more necessary as Brant has gone to Philadelphia. Page 393

June 14, Quebec. Same to Same (No. 32). Sends minutes of Council on state affairs and on waste lands. 472

11th April Minutes, 11th April. Routine, the issue of proclamations, &c. List of magistrates and other documents for the organization of the new Province of Lower Canada. 473 to 535

Minutes, 21st May. Report on the claim of F. Suzor, surgeon, with journal, evidence and other documents. 536

The 42nd article of instructions for a reservation of land at the iron works of the St. Maurice. 555

Concerning the administration of justice in Gaspé. 557

Concerning the fixing the times and places of elections. 558

to Minutes on land business, 7th May. Reports on petitions for lands. 560 to 565

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Concerning emigrants shortly expected (see also 572). 565

Concerning titles under occupation certificates. 569

Report on letter from the Surveyor General, relating to surveys. 571

Report on petitions for lands. 575 to 578

For names see alphabetical list at the end of the calendar of this volume.

21st May. Reports on the Surveyor General's estimates of the cost of surveying. 579

June 20, Whitehall. Dundas to Clarke. Sends extracts from Dorchester's reports respecting American loyalists desirous of settling in Upper Canada; sends also list of articles recommended to be supplied them, which His Majesty desires may be done. Means to be taken to convey the loyalists from Montreal to the places allotted to them and arrangements to be made for their future provisions. 326

July 2, Whitehall. J. King to Clarke. Sends bill of lading for artices to be distributed to the loyalists mentioned in the enclosure in letter from Dundas. 328

July 2, Quebec. Clarke to Dundas (No. 33). That the Province has been divided into counties, cities and boroughs for the purposes of legislative representation. Dates fixed for the return of the writs of election. Hugh Finlay appointed Clerk of the Crown in Chancery. The Assembly to meet on the 3rd December. 591

July 2, Quebec. Same to same (No. 34). Transmits the collection of laws of the Province. 594

July 10, Whitehall. Dundas to Clarke. Sending warrant for the release of three criminals on condition that they leave the Province, and not return there or to any other of the British Dominions. 329

July 12, Whitehall. Same to same. Report on the memorial respecting the personal presidency of the Governor in the Court of Appeal. How the doubts on this point, if they still exist, may be removed. His regret at the number

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of appeals, as these show dissatisfaction at the decisions of the lower courts. Additional instructions. Pardon transmitted for criminals mentioned. Page 390

August 15, Whitehall. Dundas to Clarke. That the proposal for His Majesty to interpose between the American States and the Indians is not likely to meet with a favourable reception. That the steps he (Clarke) has taken will serve as a check on Brant. His course in dividing the Province and in calling the legislature is approved of, as also the appointment of Hugh Finlay to be Clerk of the Crown in Chancery. 595

August 18, Whitehall. J. King to Clarke. Would any inconvenience arise were the leave of absence to Rev. P. Toosey to be extended? 598

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E.—Echart, Jonathan, 563.

F.—Finlay, Hugh, 293; Fitch, Eleazer, 296; Fraser, Simon, junior, 564; Friot, Isaac, 302.

G.—Gale, Samuel, 297, 561; Galloway, Benjamin, 300; Gould, Dr., 301; John, 277; Grant, David Alexander, 294; William, 294, 296.

H.—Hammond, (see Williams), 575; Holland, Lieut, Henry, 278; John Frederick, 290; Samuel, 291, 293; Holt, Moses, 295; W. J. 290; Hovey, Ebenezer, 562; Hunt, Arad, 297; Hyatt, Gilbert, 565.

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K.—Knight, Samuel, 297; Knowlton, Luke, 297.

L.—Lanaudiére, Charles de, 562; LaValterie, Paul Margane de, 295; Lay, Amos junior, 575, (see James), 577; Lester, Robert, 561; Longueuil, Joseph de, 299; Lotbinière, M. E. G. Allair Chartier de, 299.

Mc.—MacLean, John, 296; Lauchlin, 296.

M.—Margane, Paul de la Valterie, 295; Matthews, William, 302; Monk, James, 296; Moore, Joseph, 278; Morris, Col. John, 277; Morrison, James, 298; Morrogh, Robert, 561; Moseley, Isaac, 302.

N.—Nooth, John Merwin, 278, 299, 561.

O.—Ogden, Isaac, 296.

P.—Panet, Pierre, 564; Pierre, L., 277; Perry, Samuel, 576; Phillips, John, 562; Samuel, 562; Plenderleath, John, 277; Pluss, Peter, 577; Porter, Asa, 291; William, 270 (Memorial 271 to 273, report, 273 to 276. See also 319, 321); Powell, William, 578.

R.—Rees, John, 563; Robb, John, 576; Robertson, Daniel, 292; Robin, Charles, 270; Robitaille, Louis, 563; Roorback, Barret, 277; Reuter, Henry, 292; John, 292.

S.—St. Ours, Charles, 561; Salomon, Ezra, 301; Sawyer, Joseph, 565; Scott, Thomas, 294; Stewart, David, 300.

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W.—Waterhouse, Samuel, 577; Wehr, Christopher, 298; Welland (or Wiliard) Joshua, 297; Williams, Dakin and Hammond, 575; Williams, Jenkin, 562; Wilson, John, 578, Thomas, 563; Winslow, Joshua, 296; Woolcot, Abner, 577; John, 577; Wright, Alexander, 577; Wulff, George, 296.

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LAWS PASSED IN THE PROVINCE OF QUEBEC—1777 to 1791.

Q. 59—A.

Contains the laws as shown by the title.

LIEUT. GOVERNOR ALURED CLARKE, 1792.

Q. 60.

1792.
July 25, Quebec. Clarke to Dundas (No. 35). Dispatches received and shall be attended to. The packet for Simcoe has been forwarded, he having left. Page 1

July 25, Quebec. Same to same (No. 36). Respecting the case of Thomas Knight under sentence of death for the murder of William Hall. 2

Statement of the case by Chief Justice Smith, dated 27th June. Knight believed to be a lunatic. 3

Clarke to the Sheriff, William Terrill. 5

July 25, Quebec. Same to Dundas (No. 37). Sends naval officer's returns of vessels entered and cleared at Quebec. 6

July 29, Quebec. Same to same (No. 38). Regret at the expected absence of Sir John Johnson, whose services have been very useful, especially at this critical time in Indian affairs. His personal communications will be valuable. 7

August 11, Quebec. Same to same (No. 39). Asks for instructions respecting the naturalization of foreign residents, Protestant or Catholic, as the number is increasing by emigration. 10

August 12, Quebec. Same to same (No. 40). Sends Minutes of Council on State business and on Crown Lands. In the latter are proceedings of Council in relation to General Christie's petition for a grant, to which attention is directed, so that instructions may be sent to him (Clarke) on the subject. 12

Minutes, 21st June. Instructions respecting oaths to Catholic members. 14

Authority to use the Seal of the Province of Quebec for the Province of Lower Canada. 16

Concerning proroguing of the Assembly. 17

Report of the Committee on Accounts with details. 21

Memorial from William Terrill, Sheriff, and William Coffin, late Sheriff of Three Rivers, respecting charges disallowed by the Committee on accounts. 57

Concerning a proclamation for altering the next sitting of the Court of Common Pleas at Three Rivers. 58

Minutes on Crown Lands, 21st May. Instructions respecting the iron works at St. Maurice. 63

Reports by the Land Committee on Petitions. 65

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Report on General Christie's petitions, with petitions from the executors of the late Simon Sanguinet, Patrick Conroy and Henry Ruiter, and other documents. 85 to 119

Reports of the Land Committee on petitions. 119 to 126

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Concerning the reservation of lots in the townships. 127

Plan of lands left by Mr. Sanguinette for the support of a university. 127*a*

August 13, Quebec. Clarke to Dundas (No. 41). Sends extract from the minutes of the Executive Council to show the distressed state of the inhabitants on the borders of Lower Canada and New Brunswick, owing to the doubtful boundaries between the two Provinces. 128

The report includes memorial from A. and M. Robichaud, dated 8th June, 1792. 130

Report of the Committee of Council on the boundaries of the Provinces of Quebec, Nova Scotia and New Brunswick.

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Nova Scotia. 137

New Brunswick. 138

Order by Lord Dorchester to John Holland, dated 9th July, 1787, to accompany Hugh Finlay to mark out the boundaries between Quebec and New Brunswick. 142

Letter from John Holland, dated 26th July, 1787, reporting his proceedings with Hugh Finlay. 145

Report of the Committee of Council, dated 18th October, 1787, on the boundaries. 151

Judgment of the Court of Common Pleas and other documents relating to the case of Messrs. Robichaud, and the hardships of suitors in consequence of the unsettled state of the boundary line between Quebec and New Brunswick, including report by the Solicitor General and Surveyor General. 156 to 171

August 14, Quebec. Clarke to Dundas (No. 42). Sends minutes of Council respecting the waste lands of the Crown. 172

Minutes, 19th July. Report of the land committee respecting Commissioners for taking the oaths of settlers. 173

The Governor laid before the Committee a diagram of the vacant land mentioned in report on Christie's petition. 176

Representation from the Committee for a fuller manifestation of the instructions respecting the disposal of waste lands. 177

Letter from the Bishop (Catholic) of Quebec to M. Gravé, Vicar General, dated 1st July, 1792, that copies of the proclamation respecting Crown Lands should be distributed in the parishes to give the *habitants* correct information as to the benevolent intentions respecting them. 181

Notice respecting land to be conceded. 183

Report of the Committee on the lands to be reserved in each township, with documents. 184

Propositions by the Land Committee for surveys of portions of vacant lands for the benefit of Canadian inhabitants. 194

Reports on petitions for lands. 194 to 203

(The names of the petitioners are in alphabetical list at the end of the calendar of this volume.)

September 5, Quebec. Clarke to Dundas (No. 43). Sends estimates for works and repairs to be executed in Upper and Lower Canada, and also of further repairs

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to the fortifications of Quebec. Remarks. Has not, from the extent of the work, been able to send the estimates to be in London before the first of September, as instructed. Page 219

The estimates are voluminous. A report gives a general statement of the works to be carried on in Upper Canada, at Michilimakinak, Detroit, Fort Erie, Chippeway Creek, Niagara, Fort Ontario, Kingston; in Lower Canada, at Coteau du Lac, Cedars and Cascades, Montreal, Dutchman's Point, Pointe au Fer, Isle aux Noix, St. John's, Chambly, William Henry, Three Rivers, Quebec. Plan of Detroit 248*a*, and of the ground at St. John's gate 248*b*. The estimates give full details. 222 to 346

September 8, Whitehall. Dundas to Clarke. Has received dispatches brought by Sir John Johnson. Sends a free pardon for Knight. 9

October 3, Whitehall. Same to same. Has forwarded to the law officers of the Crown for their opinion a copy of his letter respecting naturalization or denization of persons mentioned therein. The application of Major General Christie for additional land has been referred to the Lords of Trade. Papers relating to the boundaries between Quebec and New Brunswick transmitted to the President of the Council. 204

October 3, Whitehall. Same to same. After consideration, has prepared a plan for altering and amending the Judicature in Lower Canada, which he hopes will be enacted by the Legislature; the Bill, however, if passed, to be reserved for His Majesty's approval. 206

The plan enclosed. 209

November 8, Whitehall. Grenville to Clarke. In the absence of Dundas, instructs him that the naturalization of aliens is of Imperial concern; a right not to be exercised by a subordinate legislature; points out the law on the subject. His Majesty will be pleased to consider all applications for denization transmitted through him (Clarke) with a view to their being granted. Steps to be taken to establish a new boundary between Quebec and New Brunswick. The plan for the allocation of lands for the Crown and Clergy, especially of those bordering on the water, is very unfavourable to them as compared with the conditions for the lands granted to individuals; they should be interspersed with the allotments of individual property. Further remarks and instructions on the subject. The decision must, in the first place, be left for local consideration, but he is not, even provisionally, to consent to any system that does not keep in view the idea of making the reserves as beneficial as was intended. 222

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B.—Baby, François, 65; Bell, John, 67; Bender, François Xavier, 67; Bishop, John, 124; Black, John, 67; Blais, Michael, 66, 126; Blanchard, Lemuel, 125; Bostwick, Reuben, 68; Bouchard, Gabriel, 196; Brady, Major Thomas, 198.

C.—Cameron, Duncan, 122; Castongai, Jean Marie, 123; Cazes, L., 195; Chamberlain, William, 123; Chambers, Charles, 196; Robert, 199; Chandler, Kenelm, 199; Clarke, Simeon, 203; Coffin, Nathaniel, 197, Thomas, 200; Coit, Isaac, 70, William, 66; Craigie, John, 200; Cruikshank, Robert, 67.

D.—Davidson, James, 124; DeLisle, David Chabrand, 201; Dow, Jonathan, 69.

E.—Edwards, Edward, 67.

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F.—Ferguson, Thomas, 196.

G.—Gaucher, Gamelin, 201; Glenny, James, 194: Goddard, Moses, 126; Gordon, Alexander, 203; Gosselin, Jean père, 201, Jean fils, 201; Graves, Capt. Adam, 66; Guy, Antoine, 196.

H.—Harrison, Edward, 196; Hatheway, Alfred, 203, Silas, 203; Hillman, George, 203; Hogan. Hugh, 66; Holland, Henry, 198, John Frederick, 120, Major Samuel, 202; Hoopstad, Leonard, 198; Hôpital Général, les dames de l', 202; Hunt, Henry Willard, 125.

L.—Lanaudière, Charles de, 195; Langan, Patrick, 121; Launière, Joseph, 120; Le Maistre, Francis, 200; William, 200, Longueuil, Joseph de, 202.

Mc.—McCarty, Francis, 70, 120; Maclean, Capt. Lauchlin, 194.

M.—May, Calvin, 125; Mayson, Joseph, 197; Moreau, Felix, 202.

N.—Neal, James, 69, John, 120.

O.—O'Hara, Felix, 69, 120.

P.—Peltier, Baptiste père, 196, Baptiste fils, 196, Jean Marie, 196; Prentiss, John, 68.

R.—Ross, David, 124; Ruiter, Henry, 122.

S.—St. Ours, Paul Roc, 121; Schieffelin, Jacob, 199; Sheldon, Samuel B., 203; Smith, Lauchlin, 197; Spencer, Abel, 124.

T.—Thompson, James, 66, 126; Tod, James, 68.

W.—Wattson, Simon Z., 69; Williams, Jenkin, 65, 121, 126.

Y.—Yeamans, Menard Harris, 123.

LIEUTENANT GOVERNOR ALURED CLARKE AND MISCELLANEOUS, 1792.

Q. 61—1.

1792. April 3, War Department.

Knox to Captain Trueman. Has been appointed to execute a mission to the Indians; the road he is to follow, &c. Has delivered him a speech for the Western Indians, with which he is to repair to the Miami village to endeavour to effect a peace, which will require patience. As one condition they must at once abstain from further hostilities. If the chiefs can be induced to visit Philadelphia, the view of the population, &c., may impress them with the futility of continuing the war. The inducements that may be held out. Other instructions. Page 146

April 4. Philadelphia.

Same to the Western Indians. That the President of the United States desires peace and believes the hostilities on the part of the Indians have arisen from error and misunderstanding. The United States do not wish to take their lands. If any of the tribes can show a right to lands included in the treaties, for which they have not been compensated, they shall receive full satisfaction. Desires the chiefs to come to Philadelphia. 150

May 20, Fort Washington.

Brigadier General Wilkinson to the Wyandots and Ottawas, &c., on the Sandusky. The chief who addressed them is your enemy but desires to bury the hatchet. Three young men had been sent with a message; they are now 44 days absent; a Captain will to-morrow proceed with a message from General Washington, as he has confidence the Indians will repair to the Omee river to hear the talk, but if this is disagreeable to them, they should come to this place or to Pittsburg and thence to Philadelphia, to be convinced that wicked men have caused the war. Prays them to give the bearer a good reception. 141

May 20, Fort Washington.

Same to Colonel John Harden. He is to go to the Wyandot towns, to induce the chiefs to come to Philadelphia, or if not, to get them to go to the Omee, where he would meet Trueman and between them accomplish a general convention, at which the speech from the President is to be

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delivered. Should they decide on war he is to take measures for his safe return; if for peace, he is to induce the chiefs to come to Philadelphia. Instructions as to arrangements for the meeting there. Page 156

June 3, Glaize. Extract of a letter from Thomas Duggan, reporting the death of Trueman, killed about 60 miles from here; his commission and speech to the Indians described. It is reported that two men sent by way of Sandusky had also been killed. 160

June 9, Detroit. Declaration by William May, a deserter from Fort Hamilton, brought in by the Indians. The force at the fort when he deserted. The Americans had built a strong fort between Forts Hamilton and Jefferson, called Fort St. Clair; that when the Americans came against the Indians last Fall, Dr. Ellison had orders to poison the liquor, but that he had been unable to do so; that the pack horse masters were all provided with poison to put in the liquor on any appearance of being surprised by the Indians. 161

June 11, Grand Glaize. Speech of the Shawanese and Delawares to Elliott. They are at a loss to know the answer they are to return to two messages which accompany this. They can say nothing till the meeting of all the Nations at Mahigan Town. They begin the campaign by the siege of Fort Jefferson and will send in the answer, if successful, by the prisoners. Ask for advice to be sent to the Mahigan Town; they fear that they are to be duped as usual. Messages have been sent to the other Nations to meet at the Mahigan. They ask for provisions for their families; and that the traders should be prevailed on to bring supplies from the Rapids. White Hat, who was wanted to write an answer to the Americans, cannot go; they ask for some one to be sent that can do so. 144

June 16, Williston. Governor Chittenden to Clarke. Calling attention to the proceedings of an officer at the posts, who took civil officers of Vermont prisoners, when in discharge of their duty; asks for an official explanation. 190

July 5, Detroit. Lieut. Col. Richard England to Francis Le Maistre. Sends copies of papers from the Grand Glaize and of an address from the President of the United States to the Indians, who sent them to Elliott. Colonel Harden and Captain Trueman, the bearers of the address, were unfortunately killed by some young Indians. Sends also papers respecting provisions applied for by the Indians. Elliott reports that the Americans were advancing from where the battle was fought on the 4th November last and are building a fort there. Has sent six prisoners to Niagara, who had been taken by Indians, with orders to send them to their homes. 139

July 5, Quebec. Clarke to Chittenden. That no proofs had been sent in support of the charges in his letter of the 16th, not received till the 30th. Had ordered an investigation, the result of which would be reported to the sovereign power. Presumes that the same course would be followed by Vermont in respect to the power to which it is subordinate. Trusts in the wisdom of the Sovereignties. 192

July 23, Michilimakinak. Captain Doyle to Sir John Johnson. Wakeso, an Ottawa Chief, will deliver this; he goes to renew friendship with the Iroquois. The Grand Sable, returned from the Miamis, surprised a party of Americans, one officer and 14 men, close to Fort Jefferson; 10 men and their officer were killed; the other four are at Chippewa Village; he has sent for them to be given up, and will send them to Detroit. 166

August 1, Niagara. Brant to Joseph Chew. The Americans still insist on the boundary according to the treaty of Muskingum; he insists on a new boundary. Has written to the Westward and to McKee. Asks that besides the coat sent to Captain Snake three or four others should be sent to prevent jealousy. About cloth, &c., for the chiefs. 167

1792.
August 20,
Niagara.

Simcoe to Clarke. Sends his opinion on the subjects referred to in the dispatches. With respect to negotiations with the United States, he believes that they do not intend to make any amicable arrangements about the posts, or to enter into any commercial treaty that may be of reciprocal benefit, nor does he believe that this can be effected so long as Washington, Jefferson and Hamil. on are at the head of affairs; does not, therefore, wonder that Hammond is unsuccessful either in this or in respect to Indian affairs. Jefferson's assertions as to the claims of the United States over Indian lands, part of which directly contravene the terms of the Treaty of Utrecht, which defined the nature of Indian sovereignty. Believes he is warranted in holding both Jefferson and Hamilton as hostile to Great Britain, Jefferson openly avows, whilst Hamilton tries to disguise it. He, however, thinks that a boundary line with the Indians should not be offered, but that that should be done as the result of conferences, and should not appear to arise as a consequence of the late check in the Indians warfare; such a plan should be made known to the people, to prevent misrepresentations. Regrets that open mediation did not follow the check to Harmar and the defeat of St. Clair; it would have strengthened the opposition to raising the present force, and in this he is supported by the views of Joseph Brant. Suggests that a proposition should be made to do away with what has no existence, namely, the west line, mentioned in the treaty, from the Lake of the Woods to the Mississippi, and to secure the free navigation of that river. How the affairs of the Indians might be settled during these negotiations, when the real nature of the British propositions might be promulgated, and the present question reduced to its real merits, which had been lost sight of, namely, whether the United States having failed in doing Great Britain justice in most essential points, Great Britain has not the right to withhold the posts till the stipulations are complied with: this would force the United States Government to declare that it had no intention to fulfil their part of the treaty. It is clear that Congress is waiting till some fortunate occurrence shall enable it by fraud or violence to seize the posts so justly withheld. His unfavourable opinion of Washington's character; his attempt by establishing the capital in Virginia or its confines, to oppose the increase of power in the Eastern States. Should Washington and his colleagues succeed in colonizing the Ohio, he has no doubt the strictest act of navigation will take place, and that ultimately the Government of the Confederation will centre in the hands of the French. No attack on the posts could take place without involving the whole confederation. The unfounded pretext of Congress that it cannot enforce on the separate States the performance of the terms of the treaty. The importance of establishing a boundary towards Lake Champlain, the territory there belonging principally to the State of Vermont. The primary cause of dispute must, therefore, originate with Vermont, and involve the question of the right of property in the actual settlers. The consequences of a contest; Vermont has nothing to lose. The idea entertained in the United States that the interests of the British merchants would always prevent Great Britain from resenting insult offered in Canada. The importance of settling a line with Vermont, even if all the ideas of Lord Grenville cannot be carried out. Another important boundary is that of Niagara and Detroit; remarks thereon and concluding observations. Page 169

August 24,
Miamis
Rapids.

McKee to Simcoe. Report brought by an Indian from the Glaize, that the Americans are enlarging the old and building new forts and receiving large reinforcements, military and other stores, &c., so that the Indians believe an expedition is intended against some of their villages, and they have sent messengers to all their confederates. Those from the

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westward are collecting and he believes the number of Indians this season will be greater than ever before, as the flattering speeches on the part of the United States are not credited. The Nations that accompanied him here are preparing to go to the Council at the Glaize.

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September 4, Miamis Rapids. McKee to Lt. Colonel England. Expects no news of importance until the Indian messengers arrive, bringing report of the strength of the American force now collecting on the Ohio. The sickness among the Indians has caused delay in the conduct of their affairs. The Indians above do not think it safe to leave their villages, till they know the distance and designs of the American force. Runners just arrived report that a large convoy of provisions had reached Fort Jefferson, with such a number of troops as gave reason to believe that more was meant than the reinforcement of the post; in consequence they have brought word to the Indians here to move immediately to the Glaize; the messengers report that parties have been sent out to watch the movements of the force. 195

September 6, Miamis Rapids. Same to same. Runners from the Glaize report that a large body of Americans mounted and without baggage, were seen three days before on the ground where the last engagement happened, apparently as if they meant to advance on the villages. 197

September 11, Miamis Rapids. Same to Chew. Indians have not determined anything; their council was delayed by the sickness of the Caughnawagas, and now waits the arrival of the Corn Planter and his Senecas, and of the Five Nations from the Grand River, which is hourly expected. Report of the movements of American Cavalry. If true, when it is attempted to accomplish a peace, the council will break up and the horrors of war recommmence. Messengers arrived from the Mississippi and the west, report that the Indians there are coming with their whole force, to join the people of their own colour. If they do, which he does not doubt, there will be a more powerful combination than the United States are aware of, and they may see too late, that the injustice of their demands will add to the misfortunes that have already happened and deluge their country with blood. 198

September 11, Miamis Rapids. Same to Brant. That his presence at the general council at the Glaize has become more and more necessary. Is sorry for his indisposition and urges him to be present at the council. 200

September 29, Quebec. Clarke to Dundas (No. 44). Ship with loyalists arrived on the 9th, but the ship drew too much water to go to Montreal, so the loyalists and their effects were sent up by smaller vessels. The loyalists have since proceeded to Upper Canada, notice having been sent to Simcoe to prepare for their reception. 3

September 29, Quebec. Same to Nepean. Sends report of a board of inspection on Indian stores. 1

Report. 2

September 29, Quebec. Clarke to Dundas (No. 45). Sends minutes of Council and other documents. 4

Proclamation to prorogue the Assembly. 6

Memorial from the Bar for a remedy for certain irregularities in proceedings in appeal. 8

Application from the town of William Henry (Sorel) for a court of requests. 10

Complaint against Mr. O'Hara, judge at Gaspé, with report of a committee on the subject with journal and documents. 13

(The report deals also with the appointment of judges and the administration of justice in the district of Gaspé and the selection of a suitable place for the sittings of the Court of Common Pleas there).

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Report of Committee on the memorial of the Bar respecting the Court of Appeal. Page 62

Draught of an ordnance for suspending the sessions of the Court of King's Bench at Montreal and to facilitate the proceedings in appeal causes. 66

Report of the Committee on the draught ordinance. 69

Minutes on State business, 18th September. Arrangements for the meeting of Assembly in the chapel in the Bishop's palace. 72

Report of a commission on disputes concerning lands between line 45° and the King's posts. 73

(The report contains opposing writs from the magistrates of Lower Canada and Vermont, each claiming jurisdiction over the disputed territority).

Minutes respecting waste lands, 4th August, Solicitor General's report on John Craigie's memorial. 122

Report concerning a defect of the land surveyors. 126

Orders on petitions for land. 127 to 134.

(The names of the petitioners are in alphabetical list at the end of this volume.)

September 29, Quebec. Clarke to Dundas (No. 46). Sends papers relative to Indian affairs in Upper Canada. Sends copies of letters from Simcoe with his opinion on certain dispatches from Hammond. Commission appointed to examine into the questions relating to disputed lands on Lake Champlain between line 45° and the posts. The importance of having the boundary line settled to save probable trouble. 135

(The enclosures are calendared at their respective dates.)

October 15, Quebec. Clarke to Dundas (No. 47). Is happy to find that his arrangement of the Province for representation has been approved of. Sends communications relating to the Indian country. 194

October 15, Quebec. Same to same (No. 48). Sends naval officer's returns of vessels entered and cleared. 202

October 15, Quebec. Same to John King. Mr. Toosey's presence may be dispensed with for the winter, but he should be here as early as possible in Spring. 203

October 22, Quebec. Same to Dundas (No. 49). Sends requisition for goods to complete the supplies at the posts and for visiting Indians. 204

Requisition. 205

October 22, Quebec. Clarke to Dundas (No. 50). That Simcoe would himself send estimate of the expense for hutting the Queen's Rangers at Niagara. Sends estimates for works ordered by Simcoe for immediate execution. 207

The estimates are for building 28 log houses for the Rangers at the West Landing, Niagara; for fitting up Navy Hall, for the accommodation of Simcoe, and for building an oven for the use of Simcoe's corps. The detailed estimates follow. 209 to 219

October 22, Quebec. Clarke to Dundas (No. 51). Sends minutes of Council on state business from 19th September and on waste lands from 15th August, both to the 11th instant. 220

Minutes 21st September. Report on the memorial of the trustees for recovering the Lake freight. 221

Report relative to the disposition of the Bishop's Palace. 224 to 230

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LIEUT. GOV. ALURED CLARKE AND MISCELLANEOUS. 1792.

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Minutes Continued, 1st October, 1792. Memorial from petitioners in the Court of Common Pleas; report from Messrs. Dunn and Williams, letter from Mr. Fraser, judge of the court, and draught of an ordinance for enlarging the next term of the court at Montreal. These papers referred to a Committee. Pages 231 to 239

Two reports of the Surveyor and Deputy Surveyor respecting reservations for the Crown and Protestant Clergy. 239 to 248

Minutes, 11th October. Decision of the Council on these reports. 249

Report of the Committee on the proposed enlargement of next November term of the court at Montreal, with proclamation and list of causes. 251 to 259

Report concerning the Court of Requests. 259

Minutes respecting waste lands, 18th September. On petitions for land. 261 to 277

(The names of the petitioners are in alphabetical list at the end of the calendar of this volume.)

Minute of the Land Committee concerning maps. 277

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Report on complaint by the Surveyor General against petitioners for lands withholding their proportion for surveys. 291

Report respecting reservations. 299

Minutes, 11th October. Report on Crown and Clergy reserves. 301

Report respecting the want of deputy surveyors. 303

Report respecting the oaths to be administered to applicants for land. 311, 313, 322

Orders on petitions for land. 327 to 339

(The names of petitioners are in alphabetical list at the end of the calendar of this volume.)

January 10, New York. Thomas Mackaness to S. Bernard. Dispatches forwarded to Major General Clarke, Quebec. How mails for Canada are forwarded from New York to Albany, and there taken charge of by a messenger from Mr. Finlay. 458

February 23, London. Wm. Fraser to Dundas. Sends copy of surrender of their lands to George the First, of several tribes of Indians in 1726. The surrender appears to have been made for the purpose of obtaining protection against the French. (The copy sent was to be returned to Fraser; neither it nor the original is among the papers). 460

See Doc'y Hist'y of N York for copy.

June 14, Quebec. James Givens to Dundas. Has delivered dispatches for Clarke and Simcoe, but Clarke has not yet informed him if he is to be sent to Hammond. Had received an advance of £15 from Sir John Temple at New York. 461

July 9, Philadelphia. Same to same. Had written from New York and Quebec with accounts enclosed. Had left Quebec on the 17th June, and delivered dispatches to Hammond on the 4th July; shall leave this on the 12th for Quebec. 462

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July 28, Quebec. Sir John Johnson to Clarke. Recommendations as to the method of conducting the business of the Indian Department during his absence. Page 349

August 10, London. Memorial of Merchants trading to the Province of Quebec, that Lord Macartney be instructed to negotiate a favourable treaty for the admission of furs into China. 463

August 27, London. Samuel Peters to Nepean. That he had been informed of the defeat by Indians of two armies sent against them by the United States, that a third was to be sent and that the people believed the Indians were encouraged by the British Government, which has exasperated them exceedingly. Is also informed that a treaty of peace is expected between the United States and Indians, Simcoe to be the umpire; the Americans expect the Ohio instead of the Mississippi is to be fixed on as the boundary. If so the Americans say the British will always command the Indians and that the fur trade is annually more than the cost of an army of 10,000 men. The Americans have no other rights to the lands west of the Alleghanies than they gained by the treaty of 1783. The Senecas and Saritorians (*sic*) have sold great tracts of land east of Lake Ontario to the State of New York. He ventures to say that the Americans will use every effort to establish the treaty of 1783, and drive all the British from the garrisons; Simcoe will require proper help in time. Desires to have £100 on account of Lewis Alden. 465

September 20, Quebec. General Order. That during the absence of Sir John Johnson, all requisitions, &c., from Upper and Lower Canada are to be transmitted, as heretofore, to the Superintendent General's office at Montreal. 352

October 1, Montreal. Colonel John Campbell to Clarke. Complains that he has been injured by the General Order issued to regulate the transaction of the affairs of the Indian Department during Sir John Johnson's absence, and encloses copy of his commission, and copy of letter with the order. 353

Commission. 355

Copy of letter from Chew. 356

October 4, Quebec. Clarke to Campbell. In answer to his representation, it is pointed out that his (Campbell's) appointment is only civil, and that he is now only on the Indian establishment for Lower Canada, as distinguished from the general commission held by Sir John Johnson. 357

October 4, Montreal. Campbell to Clarke. That the regulations respecting the Indian Department are an innovation on the King's authority. Asks that the question be referred to a Board of Field Officers. 361

October 18, Montreal. Same to same. That he will not take advantage of his leave of absence, whilst Sir John Johnson is away. 360

October 26, Montreal. Same to Thomas Aston Coffin. That although he had declined the leave of absence, it was still his wish to have his claims referred to Government. 362

October 30, Quebec. Clarke to Dundas (No. 52). Delay in the delivery of dispatches owing to the carelessness of the mate of the vessel that brought them. By the resignation and subsequent death of Rouville, the Judges of the Common Pleas are reduced to three; it is necessary to appoint another. Again recommends to mercy Thomas Knight, convicted of murder. Marie Louis Brisebois charged in the same indictment has already been executed. 342

November 2, Quebec. Major Holland to Lord Walsingham. Had intended writing by Mr. Finlay, who had, however, given up his intention of going to England, his services being required in Quebec. He (Holland) is so far recovered from the palsy as to be able to attend to his duties. He has had £65 a year deducted from his salary as Surveyor General, and £100 from being left out of the new Council. Cannot maintain his family, unless the fees on land grants make up for the diminutions, but these it is proposed

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to divide with his deputy, although his Commission secures them to him (Holland) alone. Has applied to the Lieut. Governor and Council; if unsuccessful he hopes for redress from the Ministry and begs for His Lordship's influence. Page 474

November 3, Quebec. Clarke to Dundas (No. 53). Owing to the appointment to the Bench of Mr. Williams, it will be expected that he relinquish the office of Clerk of the Executive and Legislative Council. A suitable person shall be selected for the clerkship of the latter at its first meeting, leaving Williams in the other till His Majesty's pleasure be known. 344

November 3, Quebec. Same to same (No. 54). Arrangements for the Indian Department during the absence of Sir John Johnson. Claim of Colonel Campbell to act in his absence transmitted; he also applies for leave of absence. Remarks on Campbell's letters and his claims to control of the Indian Department. 346

The correpondence follows, dated on the 28th July, 20th September and on various dates in October, calendared at the respective dates of the letters.

November 3, Quebec. Clarke to Dundas (No. 55). Had, from the distressing circumstances stated, been induced to give Mr. Finlay leave of absence to go to England, but Mr. Finlay had next day signified his intention not to accept the leave, in hopes that his affairs might be arranged by his agent. The zeal and merit of Mr. Finlay entitle him to consideration; recommends him to attention and to favour at the Post Office, where his case is under consideration. 363

Application from Hugh Findlay, dated 28th October, stating his position towards the Post Office as a reason for obtaining leave of absence. 366

Answer on the same day from Thomas Aston Coffin that leave is granted. 368

Finlay, dated 29th October, accepting the leave and asking for His Excellency's intervention with Post Office. 370

November 9, Quebec. Clarke to Dundas (No. 56). Transmits letter from the son of Major Holland, relative to French refugees, desirous to settle in Lower Canada. Sends copy of the answer, that the application would be forwarded to the ministry. The fact of Mr. Holland having married a French lady has, he (Clarke) supposes, pointed him out as the proper channel of communication. 372

Application (enclosed) by J. F. Holland on behalf of the French refugees, dated 31st October. 374

Answer by Thomas Aston Coffin, dated 6th November, that the Lieut. Governor believes persons of the description mentioned would be a desirable acquisition, but under the existing laws he cannot afford the necessary facilities, but would transmit the application to the Secretary of State. 377

November 9, Quebec. Clarke to Dundas (No. 57). Transmits Council minutes on State affairs. 379

Committee on accounts appointed. 380

Additional instructions giving power to certain Judges to vote in cases brought in appeal. 381

Reports of the Advocate, Attorney and Solicitor General, regarding the capacity of certain persons to vote for or be elected members of the House of Assembly. 383

Second report of the committee of accounts, ending the 10th April, 1792, with journal of proceedings and detail of accounts &c. 391 to 432

November 9, Quebec. Clarke to Dundas (No. 58). Encloses estimates for additional work found necessary in Upper Canada and ordered by Simcoe, including the building of a hospital for sick seamen employed on Lake Ontario. 433

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Estimates for a building at Navy Hall for the accommodation of the officers belonging to the staff of Upper Canada. Pages 434, 436

Estimates for building hospital on Point Frederick. 438, 440

November 9, Quebec. Monk, Attorney General, to Nepean. The doubts that have arisen (given in detail) regarding the right, under the capitulation and treaty, of certain persons to sit as members of the Legislative Council and Assembly can be resolved by the provisions of a new Act. 468

November 10, Quebec. Clarke to Dundas (No. 59). Sends opinion by the Attorney General respecting doubts which had arisen as to the capability of sundry Canadian gentlemen to sit in the Legislative Council and of others to sit in the Assembly. Asks that steps be taken to put these doubts at rest, and remove the disabilities if they exist. 442

Opinion of the Attorney General (Monk) on the question. 444

List of members of the Legislative Council and House of Assembly, said not to be qualified for seats under the statute of 31 Geo. 3, Chap. 31. 449

November 30, London. John King to Lord Dorchester. That emigrants from France propose to go to Canada to ascertain the practicability of settling there. Lord Grenville desires to have his sentiments on the measure. 340

December 1, London. Dorchester to King. That he sees no objection to the emigrants from France proceeding to Canada for the purpose stated. 341

December 9, Windsor. Lord Walsingham to Nepean. Sends a letter from Major Holland, dated 2nd November (calendared at its date). 473

December 10, Whitehall. Dundas to Clarke. His Majesty's servants will seize the most favourable opportunity to settle the disputed boundary on Lake Champlain. Too much care cannot be exercised in avoiding causes of discontent on the part of the proprietors. That the question of the Crown and Clergy reserves is again to be taken into consideraton. 450

December 10, Whitehall. Same to same. It is intended to make provision in Lower Canada for French emigrants now in England. Three or four persons have been selected to go to Lower Canada to carry such a measure into effect. The names of this deputation were: M. de Jardins (Desjardins), formerly Grand Vicar of Orleans; M. Jean Marie Raimbeaux, priest of the diocese of Bayeux; M. Gazil, doctor and formerly principal of the College of Navarre; M. LaCorne, formerly post captain in the French Marine. The investigations to be made as to the amount of land that can be allotted. The first will probably be ecclesiastics; they are, as far as possible, to be provided for in their ecclesiastical capacities. Provisional arrangements to be made for the allotment of lands in suitable situations. 452

Letter to the deputation introducing them to Clarke. 455

December 11, Whitehall. John King to Sir John Temple. To give Messrs. Jardins (Desjardins), Raimbeaux, Gazil and LaCorne, all needful assistance on their journey to Quebec. 456

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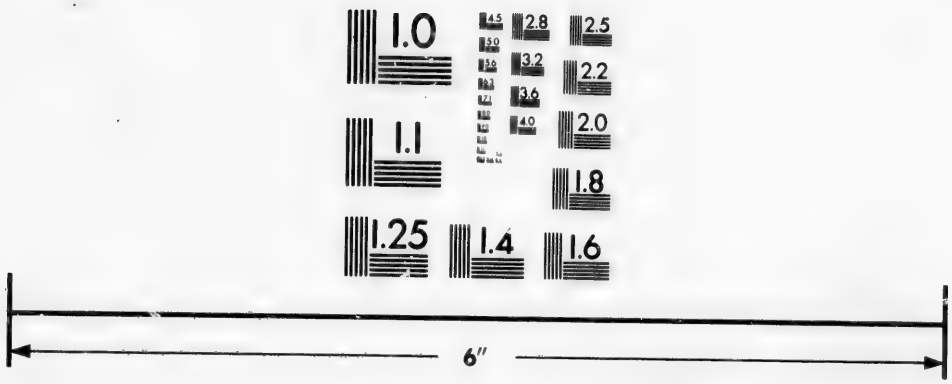

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LIEUT.-GOV. ALURED CLARKE AND MISCELLANEOUS, 1793.

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1792. November 25, Navy Hall.

Simcoe to Clarke. That Washington seems determined to carry on the Indian war, and has quitted the untenable ground of the war, namely, that the Indian territory was ceded by Great Britain. The extensive preparations making, the army to be reinforced by the Militia of Kentucky, whose animosity against the Indians and warlike disposition make them a formidable enemy. The main body of Wayne's army, detained at Pittsburg either for discipline or to overawe the counties of Pennsylvania, may be employed to cut off communication between the Six Nations and the Western Indians and by proceeding up the Alleghany and ultimately to Presqu'Isle, would be on the most practicable route to Niagara so soon as Mr. Washington and his colleagues had matured their plans. Should the Six Nations either resist or yield, the establishment at Presqu'Isle would include the building of bateaux and gun boats, and the forcing of an establishment at Miamis Bay. Desires instructions on the possible event of the United States equipping a naval armament on the Lakes; is he to consider it as hostility, as it cannot be denied it would be so in the event. The possession of the forts has secured the navigation of the Lakes, and opposition to any armament there is considered as certain. The only general order that he has is that "force must be repelled by force," and he should consider an attempt of the United States to pass these communications as such an act. Reasons from the instructions and correspondence of Knox with St. Clair why the attempt should be opposed. Under the circumstances he would not consider himself justified in giving any interruption to the armaments of the United States that did not molest the territory or possessions of His Majesty, until he had received instructions. 66

December 3, Quebec.

Clarke to Dundas (No. 60). Transmits memorial from Isaac Ogden, Colonel Fitch and associates, together with a report of the Land Committee respecting the regulations for the settlement of the country. These are to be considered by the Council, as a Committee of the Whole, but the documents are now forwarded for the consideration of the Ministry. 3

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Memorial from Isaac Ogden, Col. Eleazer Fitch and others. Page 5
Report of the Land Committee on the same. 12
Report of the Surveyor and Deputy Surveyor General. 16
Representation of the Land Committee on the granting of townships. 24
Other reports, &c., on the same subject. These include reports on petitions by John Gould, Godfrey King, Col. John Morris, Richard Nevison, John Plenderleath, Azariah Pritchard, and W. Smith, junior, and on settlements on the Becancour, Nicolet and St. Francis, and the township of Stanstead. 25 to 39

December 3, Quebec. Clarke to Dundas (No. 61). Had not sent report of the proceedings of the Indian Nations at the Glaize, as these had been already sent by Simcoe. 40

December 12, Philadelphia. Knox to the Indians (named) to the southward of the Lakes, north of the Ohio and east of the Mississippi. That he had received their message that they would meet the commissioners of the United States at the Rapids of the Miami River. Commissioners will be sent with the sincere desire to remove all causes of difference. A full supply of provisions will be sent by Canada or by the nearest American posts. Parties of Americans would be prevented from going into the Indian country, so that they with their women and children may rest in peace, and all the warriors must be called in, as it is vain to expect peace whilst they continue their depredations. 152
(In Clarke's letter of 2nd March, 1793, No. 67.)

December 29, Philadelphia. Alexander Hamilton (Treasury) to Hammond. That arrangements may probably be made to send an agent to Upper Canada to obtain a supply of provisions for the meeting of the Indians at the Glaize. 156

No date. Answer by Simcoe to the speech from the council of the Indians (named) delivered at the Glaize on the 9th of October, 1792. 157

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January 3, Quebec. Clarke to Dundas (No. 62). Had been obliged to make use for the accommodation of the Legislature, of the Bishop's Palace, which had been hired by Government. Sends abstracts of the repairs found to be necessary. Sends his speech, addresses, &c., at the opening of the Legislature. Panet elected speaker of the Assembly, which appointed a committee to frame rules and regulations. No time shall be lost in recommending to the Legislature a change in the laws affecting the Judicature of the Province. 52
Estimates for repairing and fitting up the Bishop's Palace for the convention of the Legislature. 54
The same for Council Chamber and Committee Rooms. 56 to 61

January 3, Quebec. Clarke to Dundas (No. 63). Sends list of appointments of officers for the Legislative Council and House of Assembly. Takes it for granted that the Legislature will provide for their salaries. 62
Schedule of officers. 63

January 5, Glaize. Extract of a letter from the Glaize. At the council held here, it was answered that the Indians could enter into no terms with the people of the posts, Kentucky, or the commanders of these posts. They would meet the commissioners of the United States at Sandusky next Spring, where their father is to be invited. They do not think the commanders of the forts, or the people of Kentucky, authorized to conclude a peace. He (the writer) is told that the young man delivered some letters to Pipe and Talebaxuche from one John Hamilton, but has not yet learned their import. The young man tried to get some of the chiefs to go with him to Fort Jefferson but they declined. 176

January 8, Whitehall. Dundas to Clarke. Calls attention to the regulation that all estimates for works to be done should be transmitted so as to arrive before the 1st of September, so that there may be time given to examine them, and

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that for unforeseen expenses the commander ordering them should draw bills on the Treasury in his own name. Page 1

January 21, Quebec. Clarke to Simcoe. That the earnest desire of His Majesty and his ministers is to avoid war; it is of consequence to the ease and prosperity of the Canadas to cultivate peace with their neighbours. Caution should be used not to furnish grounds for the quarrel that Knox had in view in his instructions to St. Clair as the most popular of any they could devise. Any other orders than those left by Lord Dorchester are at present inexpedient. The effect of continued hostilities between the United States and the Indians. Effectual means to be taken to maintain naval superiority on the Lakes. Shall transmit copy of the correspondence; his satisfaction that the superintendence of the King's affairs in Upper Canada is in the hands of a person so well qualified. 70

January 21, Navy Hall. Simcoe to Hammond. Is gratified that their opinions agree as to the expected negotiations between the Indians and the United States, and that he has prepared the latter for the presence of McKee and Butler at the meeting. He must, after consultation with Butler and Joseph Brant, decline to give permission to Indian agents to purchase provisions in the colony for the Indian meeting, as he has already taken steps to provide the usual supply, for reasons given. Every transaction relative to Indian affairs flows in the military channel and he does not feel justified to break through the rule in the present case. Sends extract from Sir William Johnson's letter to the Board of Trade, to show the reason for the system adopted; explains the modifications introduced into the mode of distributing the presents. Does not believe that the Indians would suffer the United States to forward a supply through their country, being extremely jealous of them. 148

January 23, Navy Hall. Same to McKee (extract). The United States agree to meet the Indians at the Miami Rapids; he presumes they mean Sandusky, where the meeting was fixed to take place. They will endeavour to send provisions by the Lakes, and it is evident under that pretext they mean to establish provisions and magazines on the line by which they are advancing from FortWashington to the fortress they mean to erect at the Miami. Has declined the application from the United States for leave to transport provisions across the Lakes, and the Indians may be assured that they shall be supplied with provisions as usual. Asks for information as to the quantities that can be supplied and the best mode of conveyance. 154

(In Clarke's letter of 2nd March, No. 67).

January 27, Navy Hall. Simcoe to Clarke. His satisfactory intercourse with Hammond through Brigade Major Littlehales. The place of the proposed meeting of the United States at Lower Sandusky has been changed by General Knox to the Rapids of the Miami River. The object of this, he suspects, is to render all hopes of peace ineffectual. Does not think Hammond had seen Knox's message to the Indians. Why he (Simcoe) cannot comply with Hamilton's application to obtain provisions in Upper Canada for the Indians. By request of the Indians, McKee and Butler are to be present at the council. Jefferson has been informed of this, and told Hammond that he thought the proposition of the Indians proper and that those of the United States would be so equitable that he was regardless by what channel they were conveyed. "Notwithstanding this "language, I cannot but give it as my opinion, that the States will not offer "anything like equitable conditions, and tho' the Indians should give up all "the country to the westward of the Ohio, that is *under settlement*, still the "avarice of Mr. Washington will insist upon the full execution of treaties "which the Indians reject as fraudulent and inadmissible." The system of supplying the Indians at the posts is the result of an ancient and unde-

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viating system not directed by temporary motives. Shall send all the correspondence when the navigation opens. Page 144

January 27, Navy Hall. Answer of Simcoe to a speech of the Six Nations delivered at Buffalo Creek on the 13th November, 1792. 160

January 30, Detroit. McKee to Simcoe. The Indians have kept quiet since he last sent word, having been stopped by their chiefs from going to war. A messenger succeeded in getting to the Miamis by the Wabash; the proper answer the Indians had returned to the message. Report that the Senecas killed two Delawares near Fort Washington and one or two others on one of the branches of the Muskingum. These murders may have been committed by some of the young men, without any countenance from their chiefs. 174

February 2, Quebec. Clarke to Dundas (No. 64). Encloses letter from Simcoe, for orders as to the steps to be taken in case of the equipment of a naval force by the United States, at Presqu'Isle or any other part of the Lakes; he asks if it should be taken as an act of hostility. Did not think it expedient to extend or alter the orders to be strictly neutral. Is convinced, however, of the expediency of maintaining a naval superiority on the Lakes for the public security; on this ground had assured Simcoe of his support in the measures necessary with that object. Asks for instructions respecting the navigation of the Lakes by the subjects of the United States. 64

(The correspondence of the 25th November, 1792, and 21st January, 1793, calendared at the respective dates of the letters).

February 2, Quebec. Clarke to Dundas (No. 65). Sends duplicate of letter and of the Attorney General's statement respecting the qualifications of members of the Council and Assembly. Mr. Cuthbert has presented a petition against the election of M. de la Valtrie; the house has not yet considered it. 73

February 2, Quebec. Same to same (private). His opinion of the character and professional knowledge of the judges of the districts of Lower Canada, namely, William Smith, Chief Justice, John Fraser, Thomas Dunn and Jenkin Williams. 74

February 2, Quebec. Same to same (No. 66). Had transmitted estimates of works and repairs in Upper and Lower Canada for the present year, and now sends statements of those for one year between the 25th December, 1791, and 24th December, 1792, which it was found necessary to undertake before previous authority could be obtained. 77

Estimates, various. 79 to 136

February 3, Whitehall. Dundas to Clarke (No. 1). The impropriety of joining the office of Clerk of the Executive Council with that of a judge of the Court of Common Pleas. His course with respect to Colonel Campbell approved of, the same to be signified to Colonel Campbell. Has transmitted Finlay's letter to the Post Master General; will do what he can for him. Is referred to a previous letter respecting French refugees and the mode of allotting Crown lands. 41

February 3, Navy Hall. Simcoe to Hammond. Arrival of General Hull; has explained to him the reasons why he could not give him permission to purchase provisions in Upper Canada for the Indians. Has convinced him that Sandusky, not the Glaize, was the place appointed for the meeting with the Indians. Hull seemed struck with the statement that had he (Simcoe) been asked by the United States, he would have attended the council. 170

February 13, Quebec. Clarke to Dundas. Is led to hope from the contents of a letter from Lord Dorchester, that His Lordship will return to Quebec. Asks for leave of absence. 137

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February 19. Provincial matters for consideration. See Q. 57—2, p 323, et seq., where these are given with observations; (printed in full in report for 1890, Note B, p 41). Page 43

March 2, Quebec. Clarke to Dundas (No. 67). Sends letter and enclosures from Simcoe, who had refused to allow the United States to send an agent into Upper Canada to collect and furnish provisions for the proposed treaty with the Indians. Approves of Simcoe's action; is not without suspicion that the United States were trying to use this means to supply their military establishments. Hammond had, no doubt, been actuated by the best motives in consenting to Mr. Hamilton's proposals on this subject, but believed that on receipt of Simcoe's letter he would be convinced of the propriety of rejecting them. 142

(Letter and enclosures calendared at their respective dates).

March 2, Quebec. Clarke to Dundas (No. 68). Transmits an address of the Assembly on the late change in this government. 163

Address in French, 164; in English, 166. 164, 166

March 14, Quebec. Clarke to Dundas (No. 69). Arrival on the 2nd of Messrs. Desjardins, Raimbeau, Gazel and La Corne. 168

March 30, Quebec. Same to same (No. 70). Had transmitted communications from Simcoe. Sends copy of letter from him to Hammond, stating that General Hull had been sent as an agent of the United States to obtain provisions already mentioned. Other communications transmitted respecting Indian affairs. 169

April 29, Whitehall. Dundas to Clarke. Transmits letter from the Postmaster General on Finlay's case; is sorry he cannot interfere further. 138

April 30, Whitehall. Same to same. An ecclesiastic, named Candide Michel Saulnier, proposes to sail for Montreal. He is to be allowed to reside within the Province and to officiate conformably to the laws there. 139

May 1, Whitehall. Same to same. That as three regiments have been ordered from Nova Scotia and New Brunswick for the protection of the West Indian Islands, the Lieutenant Governors of the two Provinces have been instructed to raise a corps of militia of not more than 600 men in each Province, to be for the service of these Provinces respectively. 140

May 2, Quebec. Same to same. He is to have leave of absence on Lord Dorchester's return to Quebec. The satisfaction felt at his (Clarke's) services. 141

May 11, Quebec. Clarke to Dundas (No. 71). Sends copies of addresses from the Legislative Council and House of Assembly on the state and means of education, and in answer to the message respecting the declaration of war. Sends also copy of his speech on the prorogation of the Assembly; had assented to eight bills. 177

The addresses, speech, &c., enclosed. 179 to 191

Schedule of Acts assented to. 192

May 25, Quebec. Clarke to Dundas: Recommends the appointment of John Craigie to the office of Clerk of the Executive Council, if his employment of Deputy Commissary General is not thought an objection. If the double office is not found convenient, Craigie would resign. Williams is not Clerk of Appeals, that office has been for some years filled by Shephard. 194

May 25, Quebec. Same to same. Death of Picotté de Bellestre; sends a list of gentlemen (with remarks) who are suitable to fill up the vacancy. 196

Names of six persons (three old and three new subjects) qualified to fill seats in the Legislative Council. 197

May 25, Quebec. Clarke to Dundas (No. 72). Explains his reasons for directing payment for certain services to be made by the Acting Deputy Pay Master, instead of by drawing bills on the Treasury. The deplorable state of the works and public buildings, their number and extent. The military divisions of Upper and Lower Canada, and how commanded. The distinction between the extent of Simcoe's authority as Lieut.-Governor and

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as senior military officer; in the latter capacity he has power to order repairs, &c., at the posts included in the upper district. The urgent services required to be carried on:—1. The building of huts for the Queen's Rangers at Niagara and an oven for the same. 2. Repairs to Navy Hall. "This building is on the west side of Niagara River and was "erected in the course of the last war by order of the Commander-in-"Chief of the Forces for the use of the officers of the Naval Department "on Lake Ontario." 3. The accommodation of the officers of the staff of Upper Canada. Page 199

June 28, Quebec. Clarke to Dundas (No. 73). With Naval Officer's returns of vessels entered and cleared at Quebec. 238

July 17, Whitehall. Dundas to Dorchester. Answers the suggestions relative to the North American Governments:—1. The establishment of a general Government for all the King's Provinces in North America. Cannot be done without an Act of Parliament, and does not think it can add to the real strength or happiness of the different Provinces. Quit rents are in effect suspended. The remarks on the other suggestions are substantially the same as those in Note E., p. 41, of the report on Archives for 1890, although not expressed in identical terms. 207

Suggestions by Lord Dorchester, to which the preceding letter is an answer. 218

July 18, London. Dorchester to Dundas. In reference to Simcoe's letter, the commissions for the Naval Officers on the Lakes ought to have been given by Major General Clarke, as these armed boats and vessels must always form part of the military force of the country. The Deputy Quarter Master General can have no official intercourse with a Lieutenant Governor in his civil capacity. 224

August 4, Portsmouth. Same to King. Returns the requisitions, &c., with answers. 226

The statements returned, received originally from Col. Stevenson on the 31st July. 227

Dorchester's answers to the same. 235

PAPERS RESPECTING LOWER CANADA AND NEWFOUNDLAND, 1790-1792.

Q. 62.—A1. A2.

1791. March 23, London. Paper read at the Bar of the House of Commons by Mr. Lymburner, Agent for the subscribers to the petitions from the Province of Quebec, bearing date 24th November, 1784. Pages 1 to 101

April 21, London. Papers relative to the Province of Quebec, ordered to be printed on this date, namely: (1-2) Articles of capitulation of Quebec, 18th September, 1759, 103. Translation, 107. 103, 107

(3.) Fourth Article of the definitive treaty, concluded at Paris 10th February, 1763. 111

(4.) Proclamation, 7th October, 1763. (There are several omissions in this proclamation, as printed in the Collection of Acts relative to Canada, (Quebec, 1800) and also in Maseres' collection (London, 1772), which have been supplied from the original proclamation.) 114

(5). Instructions for James Murray, Governor of the Province of Quebec, 7th December, 1763. 128 to 198

Copy of the 48th and 49th articles of instructions to Charles Lawson, Governor of Nova Scotia. 199

(6.) Instructions to Guy Carleton, Captain General and Governor in Chief in and over the Province of Quebec and dependencies, 3rd January, 1775. 202

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Plan for the future management of Indian Affairs, referred to in the 32nd article of the foregoing instructions. Page 258

A. List of Indian tribes in the Northern District of North America. 275

B. Same in the Southern District. 276

(7.) Copy of an article in the instructions to Sir Frederick Haldimand, K.B., in 1778, not included in the instructions to Guy Carleton, in 1775; also copy of a part of an article altered from the same instructions in 1775. 277

(8.) Copy of such articles in the instructions to Lord Dorchester in 1786, as are not contained in the instructions to Guy Carleton, in 1775 (p. 279) also of such articles or parts thereof in the same instructions in 1786, as are altered from the instructions in 1775. (p. 292). 279, 292

(9, 10.) Address to the King by Roman Catholic citizens, &c., in the Province of Quebec, (in French, 297; in English, 302). 297, 302

(11.) Copy of the petition of the old and new subjects of Canada, 24th November, 1784. 309

(12, 13.) Objections to the demands made in the foregoing petition at a meeting held at the Recollets' House, on the 30th November, 1784, (in French, 318; English, 328). 318, 328

(14.) In 62. A2. Petition of Sir John Johnson and others on behalf of the loyalists in Canada, London, 11th April, 1785. 339

(15, 16.) Memorial of the advocates and notaries of the Province of Quebec, (in French, 350; in English, 356). 350, 356

(17.) Extracts from the address of the inhabitants at and above Cataraqui, to Dorchester, 17th November, 1786. 362

(18.) Petition of inhabitants from Pointe au Baudet, westward to Niagara. 364

(19, 20.) Petition from the Canadians to the King, Montreal, 13th October, 1788, (in French, 372; in English, 378). 372, 378

(21, 22.) Petition from Canadians to Dorchester, same date, (in French, 385; in English, 390). 385, 390

(23.) Memorial of merchants, &c., of Quebec and Montreal, 1st and 5th December, 1788. 394

Lists of Seigniors, &c., attached. 404 to 415

(24, 25.) Memorial of citizens, &c., of Montreal, (in French, 416; in English, 425.) 416, 425

(26, 27.) The same to Dorchester, 24th December, 1788, (in French, 433; in English, 447). 433, 447

(28, 29.) Memorial of new subjects of Quebec, 31st December, 1788, (in French, 461; in English, 477). 461, 477

(30, 31.) Memorial of the merchants, &c., of Quebec and Montreal, 29th October and 2nd November, 1789, (in French 494; in English, 497.) 494, 497

(32.) Ordinance to regulate the Courts of Judicature, &c., 17th September, 1764. 500

(33.) Ordinance to amend the same, 1st July, 1766. 515

(34.) Additional ordinance to the same, 26th July, 1766. 518

(35.) Ordinance for ratifying the decrees of the Courts of Justice, 20th September, 1764. 520

(36.) Ordinance amending the same, 12th November, 1764. 525

(37.) Ordinance for the more effectual administration of justice and for regulating the Courts of Law, 1st February, 1770. 528

(38.) Ordinance to regulate the proceedings in the Courts of Civil Judicature, 25th February, 1777. 568

(39.) Ordinance for establishing Courts of Civil Judicature, 25th February, 1777. 586

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(40.) Ordinance for establishing Courts of Criminal Jurisdiction, 4th March, 1777. Page 594

(41.) Amendment to the Ordinance for regulating Courts of Civil Judicature (see 38), 5th February, 1783. 599

(42.) Ordinance to regulate the proceedings in the Courts of Civil Judicature and to establish trials by juries in actions of a commercial nature and personal wrongs to be compensated in damages, 21st April, 1785. 601

(43). Ordinance to continue the preceding (No. 42), with additional regulations, 30th April, 1787. 634

(44.) Ordinance to explain and amend an Ordinance for establishing Courts of Criminal Jurisdiction, 30th April, 1787. 644

(45.) An Act to continue the Ordinances regulating the practice of the law and to provide more especially for the dispensation of justice, especially in the new districts, 30th April, 1789. 647

(46.) Description of the intended boundary line between the Provinces of Upper Canada and Lower Canada. 663

PAPERS RESPECTING LOWER CANADA AND NEWFOUNDLAND.

1790—1792.

Q. 62—A3. A4. A5.

1791. Report of the Committee to inquire into the state of the trade to Newfoundland. Abstract of evidence by William Newman, of Dartmouth, trading to Newfoundland. 666 to 684

John Jeffery, of Poole. 684 to 713

Re-examination of Newman. 714

Peter Ougier, on behalf of the merchants of the County of Devon and others. 738 to 744

George Chalmers, clerk to the committee of Council for Trade. 744 745

Re-examination of Ougier. 745 to 752

George Cartwright. 752 to 765

Further examination of Ougier. 765 to 791

John Thomey, lately a merchant. 791 to 801

William Knox, formerly one of the Under Secretaries of State. 802 to 812

Further examination of Ougier. 812 to 835

Major John Elford, Lieutenant Governor of Newfoundland, subject to the authority of the Governor of Canada. 835 to 852

Re-examination of Knox. 852

Further examination of Ougier. 853 to 856

Further examination of Newman. 856 to 868

The appendix contains the legal documents respecting suits against fishermen and others in Newfoundland, with the proceedings in court. 870 to 917

Appendix No. 6*a*. Account of the number and burthen of the ships fitted out and cleared for Newfoundland from the ports of England (each port separate) from 1769 to 1774, and from 1787 to 1792. 918

No. 6*b*. The same from the ports in Scotland, from 1788 to 1792. 919

No. 6*c*. State of the French fishery at Newfoundland from 1769 to 1774, and from 1786 to 1792. 920

No. 6*d*. Account of the revenue arising from the Custom house duties paid in Newfoundland from 1782 to 1792, inclusive. 921

No. 6*e*. List of the Custom house officers at Newfoundland. 922

No. 6*f*. Apparently a list of port charges on vessels, but without title. 923

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No. 6g. Accounts of the goods seized by the Customs in Newfoundland, from 1776 to 1792. (The first year is 1779, the last 1791). Page 924

No. 6h. State of the Newfoundland fishery in the following years, taken from the returns of the Admirals who commanded on that station —1699 to 1701, 1714 to 1716, 1749 to 1751, 1764, to 1774, 1784 to 1792. Dated 19th March, 1793. 925

Continuation of the Committee's report in Q. 62—A. 4. The following witnesses examined:—Aaron Graham, who had been thirteen years Secretary to the Governor of Newfoundland. 927 to 981

Sir Richard King, Governor of Newfoundland. 981

Thomas Street, merchant at Poole. 982 to 989

Thomas Saunders. 989 to 991

Sir Hugh Palliser, formerly Governor of Newfoundland. 991 to 1004

Richard Routh, Collector in Newfoundland, who produced tables of various kinds in support of his evidence. 1004 to 1093

Re-examination of Graham. 1093 to 1103

Re-examination of Routh. 1103 to 1110

Further examination of Graham. 1110 to 1117

Further examination of Routh. 1117 to 1125

Explanations asked from Newman and Ougier, with statements by Graham. 1125 to 1148

Jacob Bates, Commissioner of Customs. 1148

Other re-examinations and criticism on previous evidence. 1148 to 1190

Continuation in Q. 62—A. 5. 1191 to 1367

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No. 1 (b). Letter from Jonathan Ogden to Aaron Graham, St. Johns, Newfoundland, 28th October, 1791. 1372

No. 2 (a.) Account of shipping and trade outwards at Newfoundland from 1788 to 1791, and an account showing whither the goods were exported. 1375

No. 2 (b). Directions for making up fishing returns. 1376

No. 3 (a). Shipping agreement between Thomas Leaman and William Collins. 1377

No. 3 (b). Thomas Leaman's account—debts due to William Collins, showing a balance due Collins of £1 3s. 1377

The same as settled by judgment of the Court showing a balance due to Leaman of £13. 1379

No. 4. Agreement of Dixon, Williams & Co., with servants. 1380

No. 5. Order by Governor Rodney to put a stop to the seizure of fish, &c., by violence. 1382

No. 6. Minute of Council, 25th January, 1786, and Admiral Campbell's answer, with additional evidence respecting the fisheries. 1385

No. 7. Additional statement of the trade and fishery of Newfoundland by Mr. Graham. 1396

No. 8. Proclamation against building about the town of St. John's, to prevent the harbouring of men called Dieters, and that those convicted of such harbouring shall be sent off the island. Dated, 13th October, 1789. 1402

No. 8 (b). Governor's Proclamation against fishermen coming from the out harbours to winter at St. John's. 1406

No. 9. Statement of fees paid at the Bay of Bulls to the Deputy Collector. 1408

No. 10. Permission to Captain Anquetil to erect fishing conveniences on unoccupied land on the north side of the harbour of Aquafort. 1409

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No. 11. Letter from the Governor, dated 15th October, 1790, to George Hutchings, with permission to make alterations in his storehouse, but forbidding the erection of other buildings. Page 1411

No. 11 (*b*). Papers relating to Barnes's grant. 1414

No. 12 (*a*). Patrick Needy, in account with John Stigings & Co. 1416

No. 12 (*b*). Denis Britt, in account with Stephen Woolcock. 1417

No. 12 (*c*). Shipping agreement between Thomas Davis and George Chilson. 1419

No. 13. Mr. Graham to Mr. Greaves, 23rd October, 1790, desiring to know when his vessel is to sail, so that Mr. Emett may get the passage he requires. That the masters are entitled to make the seamen and fishermen go back in their owner's ships; they can be forced on board. 1420

No. 14. Table of fees in the Court of Civil Jurisdiction Newfoundland. 1422

No. 15. Memorial of the merchants and others in Conception Bay for a permanent court in that district. 1423

No. 16. Writs issued from the Court of Civil Jurisdiction from 10th September to 31st October, 1791. 1429

The same after 25th November. 1436

The same from the Supreme Court from 3rd September to 30th October, 1792. 1438

Return of the Newfoundland fisheries to 1791 dated 2nd April, 1792. (See also return at page 925 of Q 62—A 3.) 1444

PAPERS RESPECTING LOWER CANADA AND NEWFOUNDLAND—1790-1792.

Q. 62.—A.6.

1718. December 19, Whitehall. Various Reports of the Lords Commissioners for Trade and Plantations relating to the Newfoundland Trade and Fishery, &c.

1765. April 29, Whitehall. Representation of the Lords of Trade to His Majesty. The paper gives a history of the fishery with statistics, &c., from 1574. Pages 1445 to 1500

1766. March 27. Extract of a representation from the Lords of Trade to His Majesty relating to the Newfondland Trade and Fishery. It contains an account of the state of the Island, its population, means of employment, &c. 1502 to 1523

Further representation from the Lords of Trade, transmitting the reports of the Governor of Newfoundland. 1524 to 1528

(*Enclosed*). Governor Palliser's remarks; dated 18th December, 1765. 1529 to 1559

1786. March 17, Whitehall. Report of the Lords of Trade on the subject of the Newfoundland Fishery. 1562 to 1604

1789. December 31, London. Admiral Milbank's report to the Lords of Trade on the judicature of Newfoundland, containing the clauses of Acts relating to the Island, with a comment. 1623 to 1696

1790. February 20, London. Same to William Fawkener. Replies to the complaints of the merchants engaged in the Newfoundland trade, that they suffer inconvenience from the establishment of a Court of Common Pleas on the Island. The complaints are answered in detail. 1697 to 1713

May 10, Whitehall. Representation of the Lords of Trade on the subject of establishing a Court of Civil Jurisdiction on the Island of Newfoundland. 1605 to 1622

LIEUT.-GOV. ALURED CLARKE, WITH COUNCIL MINUTES, 1793.

Q. 63—1.

1793. June 28, Quebec. Clarke to Dundas (No. 74). Transmits minutes of Council on State business from 1st November, 1792, to 12th March, 1793; and on Crown Lands from 12th October, 1792, to 12th March, 1793. Page 1

Minutes on State affairs, 17th November. Papers referred to Committee. 1

17th Nov'ber, Minutes, 13th December. The 60th and 61st Articles of the instructions communicated. 5

Draughts of commissions for the Speakers and other officers of the Council and Assembly. 8

Minutes, 15th December. Names of the Clerk and other officers of the Assembly. 17

1792. The Governor's speech submitted and approved of. 18

Minutes, 29th December. Petition of Christ Church for a charter referred to a Committee. 21

Report on the public accounts with details. 22 to 49

Part of the 53rd Article of His Majesty's instructions communicated. 50

to Minutes, 7th January, 1793. Letter from the Judges of Common Pleas, respecting the terms at Three Rivers and Montreal. 52

Minutes, 21st January. Report of a Committee of the Whole concerning a proclamation for the suppression of vice; proclamation in full. 54

2nd March, Minutes, 23rd February. Extract from a letter by Dundas to Dorchester respecting the support of a Protestant clergy, referred to a Committee. 58

Report concerning a survey of the east branch of the River Connecticut, with journal and correspondence. 59 to 69

1793. Minutes, 2nd March. Report of the Land Committee on the petition of Nicholas Austin and others, grantees of New Bolton, in Lower Canada, to change the form of obligation in accordance with the principles of the Society of Friends (Quakers). The petition, report of the Land Committee and opinion of the Attorney General given in full. 70 to 76

Information by the Governor that Messrs. Desjardins, Raimbeaux, Gazel and LaCorne had delivered a letter from Dundas and an *exposé* (in French) of the circumstances of their mission. The subject referred to a Committee of the whole Council. 77 to 80

24th October, Minutes on Crown Lands, 24th October, 1792, to 25th May, 1793. Reports on petitions for land. (The names of the petitioners are in alphabetical list at the end of the calendar of this volume.) 85–86

to Minutes, 17th November. Petitions. 87 to 92

Minutes, 26th November. Petitions. 93 to 114

Minutes, 13th December. Petitions. 114 to 117

The 61st Article of His Majesty's instructions respecting the Fishery

29th Decem'r, in the Bay of Chaleurs. 117

Re-commitment of the Surveyor General's letter of 10th September. 119

Minutes, 29th December. Petitions for land. (See alphabetical list.) 121 to 123

1792. Representation of the Land Committee, respecting a tract of 40,000 acres to be laid out adjoining the Province line (boundary of the State of New York), and survey ordered. 123, 124

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Draught of patent of the Island of Bonaventure to Nicholas Cox. Page 124, 125

Minutes, 7th January, 1793. Further respecting the survey of the 40,000 acres on the boundary line. 125

Minutes, 21st January. Petitions for land. (See alphabetical list.) 126

7th January, Report of Committee of the Whole Council on a letter from Mr. de St. Ours, respecting new grants of land under the seigniorial title, with the report of the Land Committee, to whose decision, declining to sanction the grant of additional seigniorial land, he objects. 128 to 134

Journal of the whole Council on the petitions for lands of Nicholas Cox, Captain Fraser and ensign Fraser, with documents. 135 to 139

Report on petition for lands in the Seigniory of Sorel. 139 to 143

Report concerning certain proposals for facilitating the granting and settlement of Crown Lands, with journal and proposed proclamation. 143 to 147

to Further petition for land from M. de St. Ours. 148 to 150

Advertisement ordered to notify all petitioners for land that the minutes are open for inspection. 150

Minutes, 23rd February. Petitions. (See alphabetical list.) 152 to 155

Letter from Samuel Holland, reporting the beginning of surveys on the south side of the St. Lawrence and recommending that the north side of the St. Lawrence and Ottawa, part of the Yamaska and the line of the township of Durham be surveyed in the course of the summer. 155 to 157

2nd March, Report of the Land Committee on the letter. 157

Report with journal of proceedings of the Committee of the Whole Council, respecting the survey of the east branch of the Connecticut. 158 to 168

Report with journals of proceedings of the Committee of the Whole Council on the propositions for a survey of lands for the Canadians. 168 to 172

1793. Report concerning the Surveyor General's Department. 172 to 181

Instructions concerning Crown Lands referred to a Committee. 182

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July 3, Quebec. Clarke to Dundas (No. 76). Sends minutes of Council on matters of State, from 13th March to 27th May. The proceedings in relation to

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the emigrants from France are in the minutes now sent. On the arrival of those first expected, a subscription will be set on foot for their relief. The conduct of the bearers of the letter (Messrs. Desjardins, &c.) reflects credit on themselves; has no doubt they will report the kind treatment they have received, which affords a favourable presage of what may be expected if their brethren come out. The memorialists have had free access to and every assistance in the Surveyor General's office, so that on the arrival of the new comers they may be settled on the lands selected. Page 244

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July 3, Quebec.

Clarke to Dundas (No. 77). Encloses report on education in the Province, and various addresses. The Assembly, after a session of nearly five months, was prorogued on the 9th of May. 289

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July 3, Quebec.

Clarke to Dundas (No. 78). Sends copies of the laws passed at the meeting of the legislature, prorogued on the 9th of May. No action was taken on the question relative to the legal capability of sundry Canadian gentlemen to take seats in the Council and Assembly. The jealousy on the part of the new subjects towards the old; the quorum fixed at 34, so that no session could be held without a majority of Canadian voices. Panet elected speaker. The attempt to make French the enacting language, not however persisted in. Regulation passed that bills respecting the criminal laws of England and the Protestant clergy should be introduced in English and those relating to the laws, usage, &c., of the Province in French, but no bill passed except in English. Asks for instructions whether he is to assent to acts in a foreign language. The little business done. The absence of many of the members on their private business led to the reduction of the quorum from 34 to 26. The allaying of the original jealousies. 307

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(The minutes are printed; part of them are contained in Q. 63, the rest in Q. 64, that part of the volume 63 and the whole of 64, containing the minutes, are omitted, the original printed Journals being in the Archives).

Lt. Gov. Clarke, 1793.

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May 31, Navy Hall.

Simcoe to Clarke. Had received notice of the declaration of war by France. Reports on the defences of the Upper Province, having walked from the Grand River by La Tranche (the Thames) to Detroit. The importance of the internal communication between the countries bordering on Lake Ontario and St. Clair. As soon as possible for civilization, command of the Indians and general defence, the capital of Upper Canada should be situated on the confluence of the main branches of

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the Thames. Shall, however, content himself in making a commodious road between Burlington Bay and the Thames. His request for instructions as to his course regarding United States vessels passing the forts. His conjectures as to the course that will be followed by the United States towards the Indians. The internal communication he proposes will diminish the importance of Fort Niagara. Description of the harbour of Toronto (now York); the proposed works there. A road could be made on the north side of the lake between Niagara and Kingston; will examine the line for another to Lake Huron. His ideas respecting naval and military defences; political reflections. Page 253

June 7, Navy Hall. United States Commissioners to Simcoe. The importance of their negotiation. Thanks for his disposition to afford them assistance. Their desire for the presence of officers of the British army at their conference with the Indians; the good effects of this. The treaties of Fort McIntosh and Fort Harmar render it now impossible to make the Ohio the boundary. 278

June 7, Navy Hall. Simcoe to the Commissioners of the United States. Is impressed with the importance of the negotiation, and shall be happy to contribute to its success. Is obliged by their polite expressions. Contradicts unfounded reports as to his advice to the Indians. Will appoint certain officers to accompany the Commissioners to the Council. The policy of the British Government ever since the conquest of Canada has been to unite all the Indians, so as to destroy petty jealousies; jealousy of a contrary conduct on the part of the agents of the United States appears to be deeply impressed on the minds of the Indians. 280

June 9, Navy Hall. Same to Clarke. Forwards a paper delivered to him by the commissioners of the United States to the Indians. In all his communications he has confined himself to his military and subordinate capacity, and had at the conference requested the attendance of Major Smith and Captain Bunbury of the 5th Regiment and of Brigade Major Littlehales. 276

June 14, Navy Hall. Same to same. The commissioners for making peace with the Indians have been here since the 17th of May. They have asked for copies of Dorchester's speech to the Indians and other documents. Their improper attempts to deal with the tribes separately have met with no success. The friendly professions of O'Beal, the Corn Planter. The probable non success of the negotiations with the Indians; believes that they are only a prelude necessary to adjust the ceremonial of the destruction and predetermined extirpation of the Indian-Americans. A favourite scheme is to turn the Six Nations against the Western Indians and ultimately against Great Britain. All the Indians have combined in the request that Great Britain should furnish them with provisions. 272

June 22, Navy Hall. Speech sent by Simcoe to the Indians at the council to be held at Sandusky. He explains the terms of the treaty respecting their lands and quotes the speech of Pickering to the Five Nations, as authorized by the President of the United States. The statement to them was: "We "claim no lands, but what belong to the Nations who sold to us; we "claim not a foot of the lands of any nations with whom we have yet "held no treaties." Simcoe continued: "These authentic papers will "prove that no King of Great Britain ever claimed absolute power or "Sovereignty over any of your lands or territories, that were not fairly "sold or bestowed by your ancestors at public treaties," and stated that the only rights in the Indian territories resigned by the King to the United States were those against the nations of Europe. He had taken steps to facilitate the work of peace between the Indians and the United States, and heartily prayed that it might be successful. 301

June 22, Navy Hall. Simcoe to Butler and McKee. Authorizes them to attend the meeting between the Indians and the commissioners from the United States

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to be held at Lower Sandusky. The Government of the United States has acquiesced in the desire of the Indians that they should be present. They are not to act as mediators, but simply to explain faithfully the nature and tendency of the offer of the United States, and to use their influence to get the Indians to accede to the offers, should they be consistent with their safety and benefit, or to reject them if injurious to their real interest. Recommends circumspection in their conduct, so that it cannot be said that it is not the injustice of the Federal Government, or the obstinacy of the Indians that has prevented peace, but the interference of British agents. The behaviour they are to observe towards the commissioners, so as to avoid giving rise to jealousy on the part of the Indians. The commissioners are to be shown the utmost civility and the greatest care taken of their safety. Page 307

June 24, Quebec. Clarke to Simcoe. He has sent Simcoe's letter of the 25th November, asking for instructions as to his course towards United States ships passing the posts; cannot himself give instructions. Expects Lord Dorchester immediately; does not feel authorized to incur expense on account of works in Upper Canada, but if he (Simcoe) consider it to be his civil duty to occupy the harbour of Toronto (now York) he (Clarke) shall assist him as far as the stores will admit, &c. 269

June 29, Rapids of the Miami. McKee to Simcoe. Indians assembling in large parties; nearly 1,000 from distant quarters. The chiefs are anxious to send a deputation to Niagara; has detained Lieutenant Selby to acompany them. Would have detained the "Chippewa" but for Colonel England's anxiety for her return; will send an express for the "Felicity," or other vessel to bring provisions and carry down the deputation. The great consumption of provisions he anticipates. Report from the Glaize that the army of the United States has a large encampment near Fort Jefferson. 297

July 1, Rapids of the Miami. Same to same. The deputies are duly authorized on behalf of the Indian confederacy to speak to the commissioners of the United States in his (Simcoe's) presence. They see with concern large bodies of the troops of the United States still carrying on establishments in their country, even as far as Fort Jefferson, the demolition of which, together with all the forts on this side of the Ohio, and that river for a boundary for ever between the contending parties, were the preliminaries on which the confederacy consented to meet commissioners in order to effect a general and cordial pacification. The Indians seem resolved to make peace on no other terms, and unless the commissioners come to Sandusky fully authorised to make a treaty agreeable to the terms of the message sent last fall, he is afraid that no good will result and that it will lead to violence, which cannot be restrained. Has just received dispatches but cannot now answer them as he is sending off the deputies. 299

July 3, Quebec. Clarke to Dundas (No. 79). The steps taken to have an Act passed to alter and amend the judicature of the Province. Documents relating to the Act transmitted. 1

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Address from the Assembly, that it is impossible to pass an Act this Session respecting Courts of Justice. 128

Answer to the Address. 130

July 3, Quebec. Clarke to Dundas (No. 80). That a warrant has been issued in favour of Lieutenant Givens for the expenses of the business entrusted to him. 131

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July 3, Quebec. Clarke to Dundas (No. 81). The offensive and defensive forces in the Province. The state of the forts. Returns of militia; the want of

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arms; a supply asked for. The desire of the legislature to strengthen the militia; proposals for raising battalions; the good effect of such a measure. Returns of ordnance, &c. Page 134

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General return of the British Militia in Lower Canada. 143

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Return of ordnance stores. 145

Return of ordnance, ammunition and small arms. 151

July 3, Quebec. Clarke to Dundas (No. 82). Transmitting memorial from Colonel Caldwell for promotion and recommending his case for consideration. 158

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July 4, Quebec. Clarke to Dundas. Leave of absence to Captain Lethbridge on account of ill health. He carries dispatches. 162

Schedule of dispatches. 163

July 10, Navy Hall. Simcoe to Clarke. Meeting at Niagara of the commissioners and a deputation from the Indians assembled at Fort Erie, consisting of Joseph Brant and about 50 chiefs. Sends reports of the proceedings. The commissioners go to-day to Fort Erie, to sail for the place appointed for the treaty. About 280 of the Seven Nations of Canada had arrived and will be forwarded to their Western brethren. Sends copies of letters from McKee. Brant seems inclined to give up some cultivated settlements on the north of the Ohio; his reported understanding with the United States on that point. Is afraid of a difference of opinion at the Indian council. Will write strongly to Brant on the importance of union among them. 282

Report of a council held at Free Mason's Hall, Niagara, at the request of a deputation of the Western Confederacy, on the 7th (284), 8th (287), and 9th (293) July. 284, 287, 293

July 18, Quebec. Clarke to Dundas (No. 83). Sends naval officer's returns of vessels entered and cleared at Quebec. 165

July 19, Quebec. Same to same (No. 84). Sends copy of letter to Mr. Long (Treasury) on the subject of works and repairs proposed to be performed in Upper and Lower Canada. 166

July 19, Quebec. Same to Charles Long, Treasury. Sends reports, with remarks, on the works, &c., proposed to be performed in Upper and Lower Canada. 167

Report by Captain Fisher. 170

Abstract of the estimates for the proposed works. 178

July 28, Miamis Rapids. Brant to Simcoe. Indian affairs have taken a turn, which makes it necessary for him to write. The fair appearance when they left this to meet the commissioners at Niagara; but on their return they found a change into distrust, probably owing to advice from the Creek Country. The deputies blamed for not insisting on the line made in 1768, a question which they held should be discussed at Sandusky at the general council. The Ottawas, Chippewas, Pottowatomies and some others were perfectly satisfied with the conduct of the deputies, but he does not see the least inclination for peace amongst some of the tribes. Sends copy of a speech to be sent to the commissioners, from which it is certain no peace will take place. Still holds the belief that the Ohio should be the boundary as far as the Muskingum. This is the line the confederacy has contended for and is most for the interest of the Indians; is afraid the steps they are taking will have a contrary effect. Asks for advice. 339

The speech of the Indians referred to, demanding that the United States should remove all their people from the Indian side of the Ohio. 342

July 28, Miamis Rapids. McKee to Simcoe. Shall have the "Ottawa" discharged and returned to Fort Erie, but he cannot go to Sandusky without a vessel to

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carry the provisions. The answer returned by the commissioners is not satisfactory to the Indians; they say they have authority to run a new line. The Indians are resolved not to depart from their former resolutions and have sent off other deputies to know if the commissioners have power to fix on the Ohio as the boundary; the whole business will hinge on the answer by the commissioners. Unsuccessful attempts to divide the confederacy Page 347

July 29, Navy Hall. Simcoe to Clarke. Arrival of Mr. Welland, late of His Majesty's service, from the Creek Nation. He had accompanied the Creeks and Cherokees to the council at the Miamis. Report made by the Shawanese to the Southern Indians that the British Government would supply arms and ammunition. Welland's ineffectual attempt to restrain them from going to war. Before he left the country two bodies of Creeks had marched against the United States, one of 1,800, the other of 1,000 men. Complaints are made that the encroachments of Governor Blunt on the Cherokees have been as unjust as those made by St. Clair on the Western Indians. Welland confirms the report that the Spaniards are pushing on the Choctaws to join the confederacy and a half-breed Indian writes that the Chickasaws will soon be added and that the confederacy will be universal on this side of the Mississippi. The language of the Shawanese that they were sure of support from this Government; McKee angry at their proceedings. Is afraid efforts for securing peace will be abortive, but he has written strongly to McKee to endeavour to prevent the new combination from influencing the determination of the council. Welland had communications with Sir John Johnson and McKee whilst war was expected between Great Britain and Spain; the Creeks are universally attached to Great Britain. Welland is a friend to Bowles and to the trade which the merchants of the Bahamas are trying to effect with the Creeks; he reports that a vessel from the Bahamas for that purpose had been taken by the Spaniards. The trade is not so much opposed by the Spainards as by the British merchants settled at New Orleans, who exercise a monopoly injurious to the Indians. Had transmitted this gentleman's information to Hammond and advanced him £10 to carry him back to the nation, of which he professes himself a part. (The name Welland in the preceding letter is also written Wellbank.) 336

August 7, Quebec. Clarke to Dundas (No. 86). Sends Minutes of Council on State business, from 28th May to the 2nd July, and on Crown Lands to 3rd July. 179

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Report of the Surveyor General on the reservations of land in the new townships. 192

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Correspondence with the Surveyor General including list of warrants and other documents. 216

August 8, Quebec. Clarke to Dundas (No. 87). Encloses answer by Simcoe and resolutions of the Assembly of Upper Canada, in reference to the resolution of the Assembly of Lower Canada respecting the drawback on wine for Upper Canada.

Simcoe's letter. 245

His message to the Assembly of Upper Canada. 247

The Address in reply. 248

August 8, Quebec. Clarke to Dundas (No. 88). Transmits extracts of letters from Simcoe respecting the defences of Upper Canada and asking instructions as to his conduct in case of an attempt to pass up the Niagara River within reach of the forts. Reports enclosed respecting the proceedings of the Indians and the commissioners of the United States. 249

(Enclosures dated in May, June and July, calendared at their respective dates.) 251

August 8, Quebec. Clarke to Dundas (No. 89). Transmits copies of the laws assented to in the last session of the Legislature. 311

August 8, Quebec. Same to same (No. 90). Submits the case of Timothy O'Connor, fined for assault in the sum of £15, which the magistrates wish remitted; recommends that he be pardoned, he (Clarke) being restricted from remitting any fines above £10. 313

August 8, Quebec. Same to same (No. 91). Encloses copy of letter from Rev. M. Brassier, Superior of the Seminary, on his reception of M. Candide Michel Saulnier, a French emigrant. 314

Copy of M. Brassier's letter, dated 22nd July. 315

August 8, Quebec. Simcoe to Brant. Is concerned to hear of differences among the Indians. Peace is most desirable; the efforts he had made privately and publicly to impress a disposition and temper that may lead to that blessing among the Indians. But for reasons given it would be unnecessary for him to give an opinion as to the precise boundary that might be necessary to secure the stipulations of the treaty now depending from being violated. Since the Government of the United States have shown a disinclination to concur with the wish of the Indian Nations that he should attend as a mediator at Sandusky, it would be improper for him to give an opinion on boundaries with which he was not sufficiently acquainted, and the question of which he had studiously avoided, knowing the jealousies entertained by some of the subjects of the United States of the interference of the British Government, which has a decided interest in the welfare of the Indian Nations and in the establishment of peace and permanent tranquillity. 344

August 14, Quebec. Clarke to Dundas. Dispatches sent by Captain Shuttleworth, who has obtained leave of absence on account of his health. 316

Schedule of the dispatches sent with Captain Shuttleworth. 317

September 5, Quebec. Clarke to Dundas (No. 92). Sends report of a Board of Inspection on Indian stores, received by the "Indian Trader," with remarks. 331

Report. 333

September 5, Quebec. Clarke to Dundas (No. 93). Transmits communications from Upper Canada. 335

(The five enclosures dated in July and August are calendared at their respective dates),

October 2, Whitehall. Dundas to Dorchester (No. 1). Dispatches received by Captain Lethbridge. (The name of the bearer of the dispatches is given by Lieut. Governor Clarke as Shuttleworth, see pages 316, 317). They have been laid before the King. Calls attention to two points in the minutes of Council. 1. The quantity of Crown lands the Governor is authorised

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to grant. 2. The Quakers not thinking themselves at liberty to make the declaration required of all grantees. There is sufficient discretion left with the Governor to settle the amount of the grant, which should not be more than 200 acres, except in the case of the leader, who should receive 1,200 acres for his trouble and expense, provided the share of 200 acres to each of his associates in the township applied for shall be left after that acreage shall be granted. Shall submit the petition of Nicholas Austin on behalf of the Quakers, and has no doubt of its prayer being complied with. The fees on land grants in Lower Canada should not be higher than those in Nova Scotia. There are reasons why they should be lower. The Rev. M. Cholmondley is auditor for the colonies; he must either act himself or appoint deputies. Remarks on the proposed arrangement for the Crown and Clergy Reserves. The bills relative to the laws, customs, usages and civil rights of the Province, which it is proposed to introduce in French, it is of importance shall be enacted in English. He sees no objection to them being introduced with a translation, provided they are passed in English. Remarks on the judicature bill, sent by the Legislative Council to the Assembly. Each clause is commented on separately. The necessity of constituting an Exchequer Court. He has communicated to the Master General of the Ordnance such parts of Clarke's letter as relate to the militia, arms, &c.

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November 9, Whitehall.

Dundas to Dorchester (No. 2). Clarke's dispatches received. Those on works, &c., referred to the Treasury. As the question of fees is postponed till His Lordship's arrival, refers him for that and for the report on Crown and Clergy Reserves to letter of the 2nd October. The proposal of the Bishop of Nova Scotia for a form of prayer for the Governor, &c., referred to the King in Council. Asks that in transmitting the minutes, attention should be called in the covering letter to special points, with remarks. Is pleased at the expectation of harmony between the Legislatures of Upper and Lower Canada. Simcoe's proposals for the defence of Upper Canada worthy of consideration. The subject has been referred to the Ordnance. Simcoe's judicious conduct towards the Indians and commissioners of the United States; he has acted with great propriety in declining to give advice as to any precise boundary. Copies of all Acts to be transmitted to the Treasury. The suspension of O'Connor's fine approved of.

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GOVERNOR LORD DORCHESTER, 1793.

Q. 66.

1793. January 3, Quebec.

Monk to Nepean (No. 4). Personal good wishes. The Lieutenant-Governor has received the arrangements respecting the Courts. Comments on the proceedings of the Assembly. 1. The election of Panet as Speaker by 28 to 18 over Grant. The attempt of the latter to lead the House has only thrown it into confusion. 2. The Lieutenant-Governor has appointed the Chief Justice Speaker of the Upper House, his son its clerk and Mr. Phillips clerk of the Lower House. The attempt of the Chief Justice to convey in the commissions all the rights, &c., of the Parliament of Great Britain, defeated by the caution of the Lieutenant-Governor. 3. The close intimacy between the Chief Justice and Grant has given the prevailing idea that the former wishes to mould and rule the Government by his own sway in the Upper, and that of his echo in the Lower House. 4. The House preparing rules; the question of the language in the Journals. 5. Contested elections of which Grant's is

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one; the charge; if unseated, Grant will not probably be returned again. The question of aliens will be raised in the petition by Cuthbert against Lavaltrie. 6. The prospect of a vacancy, by which he (Monk) may get a seat. The discussion on an application to establish a Protestant rectory at Montreal, but exempting the parishioners from the payment of tithes. He holds that the tithes are legally payable and that the Act of incorporation with this exemption cannot be granted. The difference of opinion between him and the Chief Justice on the subject. Page 261

January 3, Quebec. Monk to Nepean (No. 5). That the evil consequences of questions affecting the qualifications of persons to sit in the Upper and Lower Houses of the Legislature are likely to fade away. There will probably be one case in the Lower House to test the question. The objection will raise an application through the Legislature for such a naturalization as will qualify Canadians resident here under various circumstances. The letter from Mr. Dundas on the subject of the administration of justice will enable the Lieutenant-Governor to bring forward a remedy for evils complained of; after that the Government will go on smoothly. The Assembly has met with difficulties; has no doubt they will be overcome. 266

January 3, Quebec. Same to same (No. 6). Has no doubt a law will pass for constituting the Courts of Justice; under it there will be a Chief Justice for the district of Montreal at £800 sterling per annum. Applies for the position. 268

February 27, London. W. Dummer Powell to King. Applies for an extension of his leave of absence; is anxious to have his memorial considered by Dundas. 270

March 13, London. Memorial by Rev. Philip Toosey, Rector of Quebec. That he has held his office since 1789 without salary. His knowledge of Upper and Lower Canada. That he has neither power nor ability to supply the clerical needs of the different townships applying. On the suggestion of the Bishop of Nova Scotia he has come to England, in hopes that a salary and powers might be attached to his office, or he be appointed Bishop of one of the Provinces of Lower or Upper Canada, when he could organize church establishments in the new townships. The means by which a bishop could supply the religious wants. One rector would be enough at present for two adjacent parishes; how the reserves could furnish support to others in course of time. For building churches the presence and exhortations of a bishop would be sufficient. The Archbishop of Canterbury has promised to state the claims and wishes of the memorialist, who refers to Lord Dorchester and General Clarke, for his conduct, &c. How he proposes to settle the township of which he has received a grant, situated within twelve miles of Montreal. 273

Statement prefixed furnished to the Bishop of Lincoln by Mr. Toosey. There are six clergymen of the Church of England in Lower Canada, one at Quebec but not a single church, the members of the Church of England worship in a Roman Catholic Church before or after the service; there are three dissenting ministers and many Roman Catholic clergy with a Bishop and co-adjutor. The Bishop's salary is small. In Upper Canada there is neither church nor are there clergy; the population is all Protestant and the country already well settled. Mr. Toosey does not believe churches will be built but by the appointment of a Bishop, but the inhabitants would contribute if there were a Bishop to recommend it with authority. 271

April 9, Quebec. Abbé Desjardins to King (in French). Statement of the amount he had received for expenses, which he does not believe could have been lessened. They are indemnified for their trouble by the reception met with; their fellow countrymen are impatiently expected and will be advantageously settled. Clarke had expected to receive particular

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instructions from Government, and Dorchester promised to write, but did not do so. Sends private messages. 11th April. Has just heard of the death of the King of France, but has heard nothing of the fate of the rest of the Royal family. Page 277

April 20, London. Recommendation by the Bishop of Lincoln of Mr. Toosey who has served for four years as ecclesiastical commissary of the Bishop of Nova Scotia, without salary. 279

April 30, London. Toosey to King. Encloses memorial praying that since the Bishopric in Canada has been given to another, his past services may not go unrewarded. 280

Memorial, 281

May 8, Quebec. Desjardins to King. Sends letters under cover to him addressed to the Bishop of Léon. 282

May 8, Quebec. Monk to Nepean (No. 10). Hopes previous letters (7, 8 and 9) have been received. Remarks on the work of the Session. 1. An exertion in the Assembly to establish claims on the Jesuit estates for education. 2. The contest on the elections have all subsided and the question of aliens holding seats has been lost sight of in both Houses. 3. The House has settled rules for its guidance. 4. The question of appointing two principal clerks has gone off, on the Lieutenant Governor refusing to sanction such appointments. 5. Several laws have passed but none on the rule for "the text of French language," so that the Lieutenant Governor has been spared the necessity of disagreeing. 6. The law for creating Courts of Judicature has been postponed. 7. Bill passed by the Council for the appointment of returning officers by election of the people, rejected by the Assembly which passed a bill granting the power of appointment to the Governor. 283

Copy of the bill for returning officers as passed by the Council. 286

May 8, Quebec. Monk to Nepean (Private No. 12). A confidential letter on the subject of the courts; the insulting manner in which the instruction was treated. The difficulties the measure met with, first on the part of the Chief Justice. These were 1. The reversal of a system of jurisprudence adopted by his patron, and particularly the small jurisdictions and carving the district of Three Rivers out of Quebec and Montreal. 2. Curtailing one half of the Chief Justice's power; placing a controller on guard on his opinions; an assissant in the councils of the colony; an equal to controvert what may or ought to be opposed; an aid to the Governor that may render less important the present influence in the head of the law, for such would be the effect of appointing a second Chief Justice. 3. Compelling the first Chief Justice to do the duties of Judge in original jurisdiction of causes and subjecting his judicial conduct to control in the colony; nay, placing on the Bench two Judges who may not always permit the Chief Justice's constructions of the law to prevail. Next, in the House of Assembly. These (in two clauses) represent the difficulties as arising from office seekers. The first project of the Chief Justice only tended to irritate. The last clause of the amendment of the Assembly subjecting the rights of the Crown to "Magna Charta and trial by Jury" is of serious import and should be considered by the Ministry before the next meeting of the Legislature. The administration of justice requires amendment; there are now only three Judges to do the work, which formerly occupied six. The Court of Common Pleas at Montreal is often without a Judge. Should a bill have been passed in Parliament to restore the power of the Crown to model the courts in Canada, none will be requisite here for effecting the reform. Even if no Act has passed, a remedy may be found by the adoption of certain measures which he points out. 291

May 8, Quebec. Same to same. (Private No. 13). The political affairs of Europe affect this country. The measures necessary to produce content, and to prevent

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demagogues from producing discontent. The first is the easy, certain and just administration of the laws. Many laws are required to create such rules of right as are essential to guide the judicial power to face the subject. The Legislature has been sitting five months and done nothing towards this end. Obstructions arising from jealousies among the members; suggests that the cause of this lies in the head of the law (the Chief Justice). What will be the effect when his patron is to work every measure through his hands? Clarke is respected, but the measures of Government feel the effects of the situation. The failure of the judicature Bill must be remedied by the Ministry. Calls attention to measures of a prejudicial character and encroachments on the power of the Crown by legislation. Death of Bellêtre; the Council should be increased by at least five members, as it wants power to balance the importance of the House of Assembly; suggests certain names, and the remodelling of the Executive Council; the members should reside in or near Quebec to be able to attend the daily duties, as at present the Governor can only depend on two, who are within reach. If the members who reside above 100 miles from Quebec would remove to it, they are perfectly competent for the duty. Page 296

May 16, London. Charles Stevenson to Dundas. Information has been asked by members of the Newfoundland Committee, if fishermen there would be acceptable to Simcoe as settlers in Upper Canada, and what terms Government would grant them. They would be acceptable, and Government would think them more eligible than emigrants from the United States, but can give no answer as to the terms. It is probable they might establish sturgeon fishing on the Upper Lakes, and they would add to the strength of the country. 302

July 25, Whitehall. King to Rev. Mr. Toosey. The Bishop of Quebec, having signified his intention to appoint him (Toosey) his commissary, Dundas has consented and fixed the salary at £150 a year, to be considered as in lieu of all retrospective claims. 304

July 26, Bury. Toosey to King, accepting the office of commissary to the Bishop of Upper and Lower Canada, and the salary as a compensation for all claims for former services. 305

July 27, Miamis Rapids. Message of the Confederated Indians to the commissioners of the United States, insisting on the Ohio as the boundary. 178

July 31, Detroit River. Commissioners of the United States to the Confederated Indians. Stating what were the various treaties, and declaring explicitly that they cannot make the Ohio the boundary. 179

August 13, Miamis Rapids. Message from the general council of the Indians to the commissioners of the United States. Recapitulation of the statements by the commissioners with answers, ending with the following determination: "We "shall be persuaded that you mean to do us justice, if you agree that the "Ohio shall be the boundary line between us; if you will not consent "thereto our meeting will be altogether unnecessary. This is the great "point which we hoped would have been explained before you left your "homes, as our message last Fall was principally directed to obtain that "information." 190

August 16, Mouth of the Detroit. Commissioners of the United States to the Indian Nations. That it is impossible to make the Ohio the boundary. The negotiation is, therefore, at an end. "We sincerely regret that peace is not the result, "but knowing the upright and liberal views of the United States, which, "as far as you gave us opportunity, we have explained to you, we trust "that impartial judges will not attribute the continuance of the war to "them." Signed by B. Lincoln, Beverly Randolph and Timothy Pickering. 198

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August 16, Mouth of the Detroit.

Commissioners of the United States to the Indian Nations. Sending copies of messages previously sent. They declare that they came with a sincere desire to make a lasting peace, but they have now only to return home and report their proceedings. Page 213

Speech of the chiefs of the Western Nations, on behalf of the Indian Confederacy to Simcoe. Thanks for his kindness. The failure of the peace negotiations. The demand for the Ohio as the boundary refused. Had the commissioners come with a determination to make peace and to be reasonable, it would have been secured, but they insisted on keeping the whole (Indian) country and offered money, which was useless to them, in payment. "We expect now to be forced again to defend "ourselves and our country, and we look up to the great God, who is "a witness to all that passes here, for His pity and His help." 203

August 22, Miamis Rapids.

McKee to Simcoe. Expectations of a peace disappointed; departure of the commissioners. Sends copies of the speeches, &c. The Six Nations dissented from the others; the boundary they proposed, he (McKee) did all he could to accomplish, but the other nations persisted in demanding the Ohio as the boundary. The Indians were unanimous on every other point. Talbot, who carries the dispatches, will give details as to certain of the causes which led to the determination to have the Ohio settled as the boundary before the Indians would meet the commissioners. The acknowledgement made by the United States that the Indians possess the property or right of soil of all Indian lands, has convinced the Nations of the falsities, long propagated, that Great Britain had given away their country at the treaty of peace. The Nations which have not sold will enjoy without dispute the lands belonging to them; these will form an extensive barrier between the British and American territory. Although he has used no influence to prevent a peace which would have afforded him gratification, he expects to be blamed by the malevolent. 199

August 26, Bury.

Toosey to King. The frigate in which he was to take passage with the Bishop of Quebec having sailed, requests leave of absence to make preparations for the settlement of his colony of agriculturists on the lands near Quebec. 306

August 31, York.

Samuel Ogden to Simcoe. Complains that on a tract of land on the south-east side of the St. Lawrence near Oswegatchie, obtained by a title under the State of New York, trespasses are committed by persons calling themselves British subjects, who cut large quantities of timber, which is taken to Montreal. Asks that these depredations may be stopped; if not he will apply to the Governor of New York for protection. 226

August 31, York.

Simcoe to Ogden. That on the representation of the Oswegatchie Indians the magistrates of Augusta warned some of His Majesty's subjects to quit the very lands he claims. No doubt the question would be a Governmental one, but there is no treaty line, nor can one be acknowledged till the articles of the treaty are fulfilled by the United States. Refers him to the Commander-in-chief. 228

September 8, York (late Toronto).

Simcoe to Hammond. Sends copies of papers received from McKee and information that negotiations with the Indians have been broken off. McKee's efforts to unite the Indians and to persuade them to be content with the boundaries they formerly demanded, but the Western Indians insisted on the Ohio as the boundary. McKee's dissatisfaction with the Six Nations. Letter received from Brant, who was always of opinion that the lesser boundary of the Ohio and Muskingum should be adopted, but that the greater should be the preliminary stipulation. It is scarcely to be hoped that the Western Indians, who are disposed to consider Brant a traitor, will comply with any councils held under his auspices. Brant's

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problematical character. Is distressed at the prospect of the horrors of an Indian war being continued; hopes that the United States will now recur to the King's mediation, which can alone, he is convinced, unite the Indians and effect the termination of hostilities. Sends copy of the speech for the Indians, not delivered, as the treaty was not concluded. Is glad he wrote it, as it has a general coincidence with the sentiments of the commissioners, and a clear statement that, by the treaty with the United States, His Majesty precluded his subjects from colonizing beyond the boundary stipulated, even with the consent of the Indian Nations. This he thought it right to explain, as it was stated in popular publications that the Indian war was fomented by the British, that they might avail themselves of the event and colonize towards the Ohio. Encloses copy of a report from the officer commanding at Oswego, to show the temper that is rising and the danger of an attack on that post by the people of the country, who are carrying on a contraband trade, by parties armed, who threatened to seize the preventive officer. The measures he has taken to repel such attempts. Wishes that he (Hammond) might make some arrangement on this subject with the Government of the United States. Page 208

September 12, London. Von Reichel to King. Calling attention to his engagement for conducting the culture of hemp and the statement that if he did not accept the last offer made him he need not trouble the office more. Asks him to call the attention of Dundas to his case. 307

September 26, Niagara. Joseph Brant to Joseph Chew (extract). Had arrived from the Miami, disappointed in his hopes of peace. The Shawanese, Delawares and Twightwees were, he believed, too much under the influence of some white people who advised them to adhere to the old boundary line of 1768; the Six Nation and Lake Indians were for adhering to the Muskingum line of 1788. The three nations carried every thing their own way and would not meet the commissioners until the Ohio was settled on as the boundary. This the Six Nation and Lake Indians could not concur in, and thus the treaty broke up. Should the three nations not be able to resist the Americans, they will lose their lands and be driven back to the Mississippi, and the consequences must be fatal to them. He is on his way to the Buffalo Creek, at which the Six Nations mean to offer the Muskingum line; if not accepted, it may be the means of again uniting the nations. Still hopes that peace and unanimity may be brought about; no perseverance shall be wanting on his part to accomplish it. 206

September 29, Quebec. Ogden to Dorchester. Applies to His Lordship for redress and for a prohibition of acts of trespass on his lands, of which he gives a detail. 230

October 1, Bury. Toosey to King. Had acknowledged receipt of letter communicating the offer of the Bishop of Quebec to be his commissary, and the salary attached to the office. Asks the date when the appointment and salary are to begin. Hopes his leave of absence has been granted. Asks him to forward his application (prefixed) to Dorchester. 309

The application, addressed to Mr. King. 308

October 7, Quebec. Dorchester to Simcoe. Respecting the complaints of Ogden. Inquiries to be made as to the increase of the population on the South side of the St. Lawrence, especially that in the Genesee Country, which seems scarcely credible. To report the proceedings of this population and their approach to the Lakes. Desires also a report on the progress of population and agriculture on the North side of the Lakes, and how near they approach Toronto; settling and cultivating round that post deserves encouragement; the town should be laid out with wide streets and squares with open angles; reserves should be made as recom-

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mended by Captain Mann, but no fortifications at present. Remarks on the military defence of the country. Page 233

October 14, Quebec. Dorchester to Hammond. Sends copies of Ogden's letter to Simcoe and to him (Dorchester) with complaint respecting trespassers on his lands near Oswegatchie. Report of the conversation with Ogden, chiefly on the general affairs of the two countries, and turning on the retention of the posts by the one side and non-fulfilment of the terms of the treaty on the other. Ogden at leaving said, if the answer respecting his lands was not satisfactory, he would apply to the Governor of New York for support. He (Dorchester) did not explain to Ogden, but tells him (Hammond) that he cannot acknowledge the jurisdiction of the Governor of New York; at the same time he disapproves of the proceedings stated by Ogden and has availed himself of his information to make inquiry. Recommends attention to be paid to Ogden as a man of honour. Believes the United States think the war with France gives sufficient employment to Britain and an opportunity to them to take possession of all the territory given by the treaty, without performing what it requires. 221

October 17, Whitehall. King to Toosey. His salary will issue at Quebec and the date of the appointment and salary will begin on the issue of a proper instrument by the Bishop. 310

October 20, London. Motz to King. List of letters from Lord Dorchester, enclosing Council Minutes of Quebec, referring to the boundary between that Province and New Brunswick. 311

October 21, Quebec. Clarke to Dundas (No. 94). Transmits Minutes of Council on State business from 3rd, and on Crown Lands from 4th July, both to the 12th of August. 60

Minutes on state business. First report of Committee on Public Accounts, with journal, tables, etc. 61 to 82

Second report. 83 to 91

Another report referred to the Commitee of the whole Council. 91

Report of Committee on Crown and Clergy reserves. 91 to 94

Minutes on Crown Lands. Petitions for land. 95 to 101

(The names of the petitioners are in alphabetical list at the end of the calendar of this volume.)

October 23, Quebec. Dorchester to Dundas (No. 1). Arrival of M. Galbaud, Governor of St. Domingo, his Aide-de-Camp and a French Sergeant; they delivered themselves up as prisoners of war. Galbaud signed a parole for himself and suite and was sent to Quebec. His improper language at Montreal and attempt to tamper with the Indians. His earnest desire to remain for the winter; the danger of such permission; he was ordered to sail for Europe; his flight back to the States with his Aide-de-Camp. The sergeant who remained was confined and then shipped by the "Severn." Whilst at Montreal he had tried to establish clubs among the lower classes. It is believed that Galbaud's pretended quarrel with Genet was made use of to further the latter's intrigues in the Province; the spread of false principles. Arrival of Mr. Dansville, late Governor of St. Peter's, on parole. 171

October 24, Quebec. Monk to Nepean (No. 18). Arrival on the 24th September of the long expected Governor General (Dorchester); his (Monk's) apprehensions. The Legislature separated in better humour than it met and expected to come together in January for "prosperous purposes"; it has been called for the 11th of next month and there will be a sullen meeting. Had expected to be one of the Legislative corps, but now rejoices he is not one of such an "honourable dissatisfied body," situated as the Attorney General must be. Remarks on his prospects of a judgeship, the condition of the courts, &c. He (Nepean) is not to be sur-

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prised if the Privy Council is represented to be non-effective and William Grant recommended to fill any seat; his position towards the public treasury demands caution. Sewell will be offered for pension and favour as Solicitor General and Inspector of Domain to help him (Monk) in his office, a step he expected after his quarrel with the Chief Justice respecting the right of rectors in new parishes to collect tithes. There is no necessity for the proposed office. The character of Mr. Sewell; the necessity of having a good Attorney General. Death of the only son of Jenkin Williams, by disease contracted with the army in the West Indies. Chief Justice Smith's son is to succeed Jenkin Williams as clerk of the Council. Remarks on the course of the Chief Justice and on the privileges granted to Sewell in the United States, as a reason for not admitting the latter into the Executive Council.

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October 24, Quebec. Monk to Nepean (private, No. 19). Thanks for his remembrance. This letter sent by General Clarke; praises of his character. His want of confidence in the present rulers. His desire for the office of Chief Justice of Montreal. 318

October 25, Quebec. Clarke to Dundas (No. 95). Encloses abstracts and estimates for absolutely necessary work, with remarks. 102

Abstracts and estimates. 104 to 165.

Report by B. Fisher, Commanding Engineers, on the works and repairs necessary, dated 3rd May, 1793. 166

October 25, Quebec. Dorchester to Dundas (No. 2). The Indian demand for the Ohio as their boundary and the refusal of the United States commissioners to accede to this have broken off negotiations; there will no doubt, be an immediate renewal of hostilities. Divisions among the members of the Confederacy; the Western Nations firm, the Six Nations ready to modify the demand. 174

Schedule of enclosures, dated in July, August and September, calendared at their respective dates. 176

October 25, Quebec. Dorchester to Dundas (No. 3). Had enclosed to Hammond the heads of a conversation with a respectable gentleman from the States, which, with the enclosures, would explain the nature of his complaints. Besides the ostensible business he imagines the object was to discover how far settlements on the lakes and entering upon navigation for commerce or war would give umbrage. The United States contemplate occupying the mouth of the Sopus (Sodus) on Lake Ontario, forming a settlement at Presqu'Isle on Lake Erie, and if permitted establishing other posts on that lake nearer to Detroit, to distress the Indians and make communication with them difficult. It is not a new idea, but whether from their advanced population or from Britain being at war with France, there seems a greater disposition to press forward in a hostile manner than hitherto. Disputes innumerable may arise from causes stated. The necessity for large military reinforcements. The naval preparations for the lakes may be spared when a firm peace is settled with America, and part of the reinforcement may be sent to Halifax to act more powerfully against the French possessions, combined with proper attention to Nova Scotia and the St. Lawrence. At the same time, the interests of the King's American Dominions require peace, and those of the United States require it still more. In the natural course of things the people from the States will overspread the country south of the lakes from the Atlantic to the Mississippi and beyond, the north side must also greatly increase in population. North America does not possess a fiftieth part of the population necessary for its proper cultivation, and if the Indians are treated with natural justice, as much land can be acquired from them as can possibly be wanted. Light

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articles of commerce will find the road to the best markets, heavy articles produced in the country round the lakes seem destined by nature to come down the St. Lawrence. Not war but a pure and impartial administration of justice under a mild, firm and wise Government will establish the most powerful and wealthy people. Page 215

Naval and military returns. 235 A to 237

October 25, Quebec. Dorchester to Dundas (No. 4). Sends naval officer's returns of vessels entered and cleared at Quebec. 238

October 25, Quebec. Same to same (No. 5). Encloses requisition for goods to complete the supplies for the upper posts and visiting Indians for 1795. 239

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October 25, Quebec. Dorchester to Dundas (No. 6). Sends copies of Council minutes on State business from 13th August to 2nd October. 242

Minutes, 2nd October. Oaths taken by Dorchester. Great seal and warrant for its use laid on the table. 243

Letter respecting the supply of oak bark referred to a committee. 246

October 29, Quebec. Dorchester to Dundas (No. 7). Encloses minutes of Council on State business from 3rd October, and on Crown lands from 13th August, both to the 25th instant. 249

Minutes, 25th October. Report of the sailing of a French fleet from Sandy Hook for the St. Lawrence; decision as to the sailing of the convoy. 250

Report of Committee on accounts in the Surveyor General's Department. 251

Minutes on Crown Lands. Reports on petitions for land. (Names given alphabetically at end of volume). 254

October 30, Quebec. Dorchester to Dundas (No. 8.) Encloses Minute of Council respecting the application of Captain Minchin for advice as to the best to be done for the security of the trade in view of the French fleet coming to the St. Lawrence. 256

October 30, Quebec. Same to same (No. 9.) Bishop Hubert can provide for 50 French emigrant clergy. Although he (Dorchester) would be glad to see 50 good men coming to the country, yet he thought the matter should be officially arranged between the Bishop of St. Paul de Léon and him (Dundas). 259

November 2, Quebec. The Bishop of Quebec to ————. Sailed on the 13th August and arrived yesterday. Shall begin to collect information relating to the object of his appointment. 321

November 9, Whitehall. Dundas to Dorchester (No. 3.) Encloses report by Twiss on Mann's plan for improving the fortifications at Quebec, and asks for His Lordship's consideration, so that the estimates may be laid before Parliament. Such works, however, as cannot be delayed, are left to His Lordship's discretion to proceed with. The same may be done in the case of Upper Canada. 1

Report, dated 31st October, by Twiss on Mann's plan, dated 3rd August, 1791. 3

Schedule of papers relating to the defences, &c. 8

Plan for the defences of the city of Quebec, with estimates. 10 to 58

November 12, Quebec. Monk to Nepean. With account of preliminary proceedings in the suit against William Grant for the balance due by him to the Treasury, as Deputy Receiver General. 322

November 28, Whitehall. Dundas to Dorchester. Transmits additional instruction, by which the oath to be taken by persons applying for land is dispensed with in regard to Quakers. 59

December 5, Quebec. Monk to Nepean. Stating what letters he has sent. Reference to the mutiny on the French fleet; to the powers to be settled on

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citizen Genet; on the departure of the Chief Justice and on the constant committee work on Judicature and Militia Bills, &c. Page 324

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September 11, Fort Ontario. Captain Schœdde to Littlehales (extract). That he has been obliged to follow and seize two boats which refused to stop at the fort. Page 35

September 25, Fort Ontario Same to same. The civility he has shown the settlers; they are in general the scum of the States; only one decent man among them, who has tried ineffectually to get deserters to return. How he has satisfied the settlers that their safety lay in the possession by the British of Fort Ontario; on account of his representations they have retired within the prescribed limits. It is only a temporary relief, however. 35

October 7, Quebec. Dorchester to Simcoe. (Duplicate, see Q. 66, p 233). Respecting Ogden's complaints, the progress of population, &c. 99

October 10, Buffalo Creek. Proceedings of council with the Six Nations, present Butler, deputy agent, and Israel Chapin, the latter Indian Superintendent for the United States. Brant states the cause of the abrupt termination of the negotiation for peace at the grand council at the Miamis Rapids. Offers the line of demarcation agreed upon with the United States five years ago, and to relinquish the lands on the Ohio already settled on and improved. The Six Nations desire that General Chapin should carry this offer, so that he could explain it to Congress. 30

A letter from Simcoe, not dated, gives fuller details of the proposed boundary, which was marked upon Hutchins' Map. 33

November 18, Quebec. Dorchester to Dundas (No. 10). Calling attention to the laws for the administration of justice, and the arrangements for the defence of the Province. The difficulty of the latter from the ignorance of the people laying them open to the influence of intriguers and from not seeing the disadvantage of not being able to defend themselves. The plan for having

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at least one battalion always embodied was calculated to correct political vices, which tend to undermine the King's authority. Sends state of provincial revenue; its inability to support the expense of Government. Asks for His Majesty's pleasure on the subject of the expenditure. Page 7

Speech to the Legislature, on the administration of justice; on the expenditure and revenue; the caution required in the formation of laws to strengthen the new constitution. 9

Answers by the Assembly. 11, 13

Account of cash received by the Receiver General. 16

Abstract of warrants issued by Clarke for the civil expenditure of Lower Canada. 17

November 22, Quebec. Dorchester to Dundas (No. 11), Report that Wayne was, on the 18th of October, within two days march of the Glaize, with 3,000 regulars, 2,000 militia and 200 Indians. On the breaking up of the council, the Indians, having dispersed, could only raise 700 men but they had sent pressing messages for help to the other tribes living near the lakes. The Six Nations and their associates in council at Buffalo Creek have resolved to adhere to the Muskingum boundary, and sent their resolutions in form to the United States. Till they know whether this line is accepted or refused it is not probable they will again assemble. Doubts are entertained whether in any case they would join in hostilities against the States. Sends extracts from letters written by the officer in command at Fort Ontario. 28

(Enclosures calendared at their respective dates).

November 26, Pointe-aux-chênes. Report by John Watkins, a deserter from Wayne's army, of the position, condition and preparations for the winter of the United States troops. 95

December 5, Quebec. Dorchester to Dundas. Mr. Smith, Chief Justice, is given over by his physicians. The loss will be severely felt, when it takes place he shall put the office in commission. 44

December 14, Detroit. Richard England to Simcoe. The cause of his long delay in writing. Arrival of McKee. Sends copies of his letters. The retreat of part of Wayne's troops owing probably to the scarcity of provisions. Does not believe that the regulars have quitted their position near Fort Jefferson. The few Indians that collected at the first alarm have returned home; their disunited state. Wayne has told his troops that they will spend the winter nine miles from Detroit, where they would find plenty of fresh provisions. How he is sending the dispatches. Collins sent down as prisoner last winter, is the principal guide to Wayne's army. A later report says that all the Shawanese have gone to war. 91

December 31, Quebec. Dorchester to Dundas (No. 12). The importance of having a duly qualified chief justice. Calls attention in detail to the abuses of the system of fees and perquisites to judges, officers in the public service, &c. His objection is to a system which "alienates every servant of the "Crown from whoever administers the King's Government. This policy "I consider as coeval with His Majesty's Governments in North America "and the cause of their destruction. As its object was not public but "private advantage, so this principle has been pursued with diligence, "extending itself unnoticed till all authority and influence of Government "on this continent was overcome and the Governors reduced almost to "mere corresponding agents, unable to resist the pecuniary speculations "of gentlemen in office, their connections and associates, or any enormity "whatever. It was not, therefore, surprising that this phantom of an "executive power should be swept away at the first outset of a political "storm." All influence was destroyed and the unbridled multitude abandoned to leaders of rebellion, who inflamed their passions and played on their credulity till they acquired strength sufficient to stand

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forth in their proper shape. Whatever tends to enfeeble the executive power on this continent tends to sever it forever from the Crown of Great Britain. Page 45

December 31, Quebec. Dorchester to Dundas (No. 13). Recommends that a discretionary power be given to allow the dissenting ministers at Quebec and Montreal £50 a year each, so long as their conduct is such as becomes good and loyal subjects. 49

December 31, Quebec. Same to same (No. 14). The increase to the business of the Executive Council. The insufficiency in the number of members, only two live at Quebec, so that when the legislature prorogues these are all that can be depended on. It requires not less than 13 to carry on the business so as to be always sure of a quorum. Recommends the addition of four members, namely, P. A. de Bonne and A. J. Duchesnay, John Lees and John Young. 50

1794. List of the present members, showing also vacancy. 51

January 8, Whitehall. Dundas to Dorchester (No. 1). Dispatches received. His conduct respecting M. Galbaud and suite approved of (see Q. 66, p 171). Is sorry for the disputes among the Indians. The refusal of the United States to accept the Ohio as the boundary would probably bring on war again; if that became unpopular it would give an opportunity for peace to be restored on the terms proposed by His Majesty's Government. Agrees with Dorchester's opinion that the King's North American Dominions require peace, and that the interest of the States requires it much more. For these reasons urges a friendly and conciliatory disposition, consistent with the preservation of the posts. Approves, therefore, of His Lordship's conduct to Ogden. Concerning the conduct to be observed before a final settlement with the States, which is probably not far off. The effect of the success of His Majesty's arms in the West Indies; the effort to be made to come to a mutual arrangement with the United States. The militia of Lower and Upper Canada to be put on a respectable footing; a proper supply of arms, &c., will be sent. The importance of a naval force on the lakes; Captain Schank to be superintendent of the building and management. Nova Scotia appears to have been placed in a respectable state of defence. When it was reported that the French force at New York was to act against Halifax, 4,000 men in arms, including militia, assembled in a very short time. Wentworth authorized to raise two additional companies for his regiment. Requisition for supplies for the upper posts and Indians sent to the Treasury. Remarks on Council minutes. As arms for the militia cannot be sent so soon as proposed, all unissued at Halifax are to be ordered to Quebec. 1

January 11, Quebec. Dorchester to Dundas. Has given Finlay leave of absence. Recommends his case for favourable consideration. 52

January 11, Quebec. Same to same. Death of Lieut. Governor Cox on the 8th. Captain Le Maistre recommended to succeed him; his services. Memorial enclosed from Mrs. Cox for a pension which he requests may be granted. 53

Memorial of Le Maistre for the vacant office, stating his services. 55

Memorial of Mrs. Cox for a pension, stating her late husband's services. 57

January 20, Quebec. Dorchester to Dundas (No. 15). Sends copy of a proclamation against seditious attempts, which has had a good effect. His attempt to introduce an alien bill frustrated for the present by jealousies between the two branches of the Legislature. The divisions are apparently terminated and the Legislature is proceeding to business. Finlay, who goes to England, can give further information. 60

The proclamation (English 62; French 64). 62-64

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January 27, Quebec.

Dorchester to Simcoe. Had received news of the loss of the "Onondago" off York and has ordered another to be built of nearly the same size. The loss is unfortunate owing to the demand for transport over Lake Ontario. All establishments, as York, London, &c., not ordered by the General are to be considered as provincial; he is to consult respecting these with respectable people, as well as with the Council and Assembly, whose co-operation is necessary. When Upper Canada shall equip a provincial marine, it shall be under the command of the Executive, whether he be a military man or not, but all the armed vessels built by the General-in-Chief must be under his command. In the present state of Upper Canada he will not remove any of the force on the treaty line, nor alter the regulations concerning the armed vessels. Hopes to live at peace with his neighbours, but care must be taken of the guns, &c. Page 102

January 28, Miamis.

McKee to England. The Delawares have returned from the forts and have brought a speech to the Indians from Wayne; a copy is enclosed. It does not appear that any of the other nations were concerned in sending the message; even the Delawares were prevailed on by sinister men to open a communication. A council to be held in two or three days in consequence of the message. Has arranged for receiving the earliest intelligence, which he will send as expeditiously as possible. 153

Message from Wayne to the Delawares, Shawanese and Miamis. 154

Proceedings of a council of the Six Nations, held at Buffalo Creek on the 7th February, 1794, with the speeches from the Indians, from Chapin, delivering a message from the President, &c. (157); continuation on the 9th (162). 157, 162

January 29, Quebec.

Dorchester to Dundas (No. 16). Has appointed Jean Antoine Panet, judge of the Court of Common Pleas; Mr. Chartier de Lotbinière succeeds him as Speaker of the Assembly. The Assembly does not consider that Mr. Panet has vacated his seat by accepting the appointment of judge. 67

February 2, Detroit.

Richard England to Simcoe. Reports that the Delawares had decided to make overtures of peace to the United States. Ill grounded reports of depredations on the traders has induced him to send McKee to the Miamis to restore security to them. Sends copies of letters from McKee, stating the facts concerning the new forts. 151

February 10, Quebec.

Speech by Dorchester to the Indians of the seven villages of Lower Canada. 109

February 15, Whitehall.

Dundas to Dorchester (No. 2). Order to raise two battalions of Royal Canadian volunteers; the terms on which the officers are to be appointed. Is assured in the selection of officers, that attention will be paid to His Majesty's Canadian subjects. The pay and subsistence of the battalions are to be the same as for the regular troops. Economy to be observed in respect to levy money. The Treasury notified to lose no time in providing clothing, &c. The Board of Ordnance is sending 2,000 stand of arms. 37

February 15, Whitehall.

Same to same (No. 3). Dispatches received. Is glad to find the Legislature cordially concur in framing the new judicature and militia bills. Is aware of the difficulties in the first attempt to embody the militia; the object of embodying the two battalions is to rouse the people from their apathy. Does not object to a return of the whole expenditure and revenue being laid before the House, that they may see the great disproportion between them and be impressed with the generous and liberal conduct pursued by Great Britain for promoting the strength, wealth and general prosperity of the Province. So soon as the Province is able to provide for a portion of the civil establishment, the judicial part of it is first entitled to attention, and those entrusted with its administration have the first claim to a provision. Had received report of

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Wayne's progress; doubts if the difference between the line of the Ohio and the Muskingum is the real cause of the rupture on the part of the United States; doubtful character of Brant; his conduct and language tend to implicate this country in hostilities between the Indians and the States. His Lordship will be authorized by the Secretary at War to augment the regiments now in Canada, which with the two battalions of militia, will be a force sufficient for service in Upper and Lower Canada. This, with the pacific conduct recommended, should secure peace and tranquillity and also enable Simcoe to occupy York (late Toronto), and a station on Lake Erie for the reception of shipping. The investigation of the course of the Thames (late La Tranche), and of the communication between York and Lake Huron, demonstrates the importance of York and Long Point; no time should be lost in occupying York and a port on Lake Erie.

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February 17, Quebec. Dorchester to Simcoe. Instructions for the defence of Upper Canada, in case Detroit should be attacked. 97

February 17, Quebec. Same to Hammond. Represents the attacks made by the Vermonters on the King's officers; these still continue, notwithstanding the civility and moderation of Jefferson's answer to Clarke's complaint in 1792, and his disavowal of the enormities. Instances given. People from New York following the example of Vermont and harbouring emissaries of sedition. The same spirit runs through the people of the States in the Upper Country. Wayne's language implies hostile designs requiring other measures than complaints or repairing a fort of pickets; the instructions to St. Clair confirm this. It is necessarry to meet these measures in time. Believes a frank statement best, so that it may be understood that trust in forbearance and desire of peace may be carried too far. All the differences must be settled soon or a war seems inevitable. Has taken no notice of the arsenal at West Point being removed to Albany, 100 miles north for the express purpose, it is said, of invading the Province. 105

February 24. Same to Dundas (No. 17). Everything quiet; business does not proceed fast in the Legislature, partly from want of practice and partly from the necessity of constantly translating from one language to another. Sends copy of a memorial from the *censitaires* (or copy holders) on the manor of Longueuil, addressed to the Assembly. Sends the Solicitor General's report and will get that of the Attorney General when he returns from Montreal. "The question may raise a great deal of "heat, and establish the party distinction of Aristocrat and Democrat, "which may tend to diminish the strength of the Province, and do "much injury to the King's government; the seditious papers that have "been scattered about the country seem to allude to this condition of "the people." Has filled up the vacancies on the bench in the Court of Common Pleas. 77

Memorial (in French) referred to in preceding letter. 79

Report by the Solicitor General on the memorial, largely supporting the complaints of the *censitaires*. 82

February 24, Quebec. Dorchester to Dundas (No. 18). Lt. Colonel England's report on the broken state of the Indian Confederacy, which is attributed to the defection of the Six Nations. Wayne reported to intend marching on Detroit. The proceedings of the people of the States on the side of Lake Champlain showing what Wayne's course would be; orders have been sent for the defence of the Upper Country. Has not yet learned the resources that may be derived from the militia. Detroit is able to send out a considerable force, but that being extra provincial would be turned against the King. Has informed Hammond of the hostile appearances. Sends copy of his instructions to Major General Ogilvie, concerning the evacuation of the

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island of St. Peter. Calls attention to the want of strength of Cape Breton, St. John and Newfoundland, as well as Nova Scotia and New Brunswick. It would not require a very considerable armament to lay their coasts desolate. Even a large body of troops would preserve only a few stations, without ships to maintain superiority at sea. Page 88

(Enclosures calendared at their respective dates).

February 24, Quebec. Dorchester to Major General Ogilvie. Respecting the propriety of removing the troops on the island of St. Peter; the King's ships of war are the proper defence for all those islands which have no internal strength. The precautions that should be taken to preserve peace, justice and good order among the people left behind. 113

February 24, Quebec. Same to Dundas (No. 19). The Indians of Lower Canada have requested an allowance for their priest at Sault St. Louis, and for a surgeon at their village and another at St. Regis. Complaints respecting lands referred for examination to the Solicitor General, who is to report so that redress may be given if the Indians have been injured. 115

Speech by Dorchester to the Indians of Canada. 116

March 1, Quebec. Dorchester to Dundas. Encloses addresses presented on the departure of Prince Edward (Duke of Kent) by the Legislative Council, Romish clergy and inhabitants of Montreal, Three Rivers and William Henry. As they could not be presented in person, he (Dorchester) received them in the Prince's name and transmits them to be forwarded. 118

Address of the Legislative Council, signed by F. Baby, speaker. 119

The same in French. 121

The same of the Roman Catholic clergy of Quebec. 123

The same of the inhabitants of Quebec (in English, 125; in French, 127). 125, 127

(The signatures begin at p. 128).

The same of the inhabitants of Montreal (in English, 136; in French, 138). 136, 138

(The signatures begin at p. 140.)

The same from the burgesses of William Henry. 144

The citizens of Three Rivers. 146

March 25, Quebec. Dorchester to Dundas (No. 20). Has received additional instructions concerning Quakers wishing to settle. The Legislature employed in the discussion of the militia and judicature bills. 148

March 28, Quebec. Same to same (No. 21). Learns that Wayne has built two forts; one called Fort Grenville, the other Fort Recovery. The broken condition of the Indian confederacy shown by the Delawares making a separate offer of peace to Wayne, who will take advantage of this to advance farther into their country. The proposal of a boundary made at Buffalo Creek has not been answered directly. The President desires the Six Nations to hold a conference at Venango in May, and that the army of the United States may act as circumstances shall require. 149

March 28, Quebec. Same to same (No. 22). Has desired an investigation to be made to discover how copies of his reply to the Indians at the council of the 10th February had been circulated in Montreal and sent to the United States. Has placed the post of Michilimakinak under the superintendence of McKee, so as to check the frauds committed in the Indian Department there. Sends copy of the commanding officer's narrative (C) and statement of the embezzlement there in January, 1783. 167

Order to Colonel Campbell to ascertain how reports of Dorchester's speech to the Indians were circulated. 169

Report by Colonel Campbell, at Montreal, 20th March, that he has not been able to ascertain positively how copies of Dorchester's speech to the Indians were circulated, but gives statements respecting the manner in which this might have been done. 170

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Report by Captain Doyle to Colonel England, dated Michilimakinak, 2nd February, 1793, of embezzlement by Gautier, Indian agent at the post. Page 171

Estimate of deficiencies in the stores of the Indian Department at Michilimakinak. 173

April 10, Quebec. Thomas A. Coffin to Campbell. Dorchester has sent to the upper posts the answer given to the Indians in February. Before the deputation can reach Michilimakinak, the answer will probably reach them from the United States, where it was published in the newspapers. The expense of sending a deputation; how it is to be forwarded. Additional inquiry to be made respecting the manner in which the answer to the Indians became public. His Lordship is sorry to find the Indian Department in Lower Canada in so deranged a state. Lorimier the elder to be prevented from cutting timber as stated. 187

April 14, Quebec. Dorchester to Simcoe. Considerations as to the proper position for fortifications for the defence of the navigation of the St. Lawrence. An investigation to be made. 194

April 16, Quebec. Same to same. The arrangements for naval defence. 199

April 16, Quebec. Same to same. Lieutenant Bryce, of the Engineers, has been sent to assist in laying out temporary works, to resist an immediate siege. Desires to have a report on the force, condition and disposition of the militia, &c. 202

April 17, Montreal. Campbell to Coffin. Had informed the Indians of the plans proposed for sending the answer to the Indians it was intended for, but does not know which they would prefer. Lorimier says he did not, nor does he now know who did make public the answer. How it was given to Sutherland to be copied. The present deranged state of the Indians of Lower Canada and the reason. Had sent the orders to prevent Lorimier from cutting timber, but has no authority over him; had transmitted his answer. 189

April 21, Buffalo Creek. Reply of the Six Nations in council to a speech from General Knox, delivered by General Chapin on the 10th February last. 208

April 26, Quebec. Dorchester to Dundas (No. 23). Had made public the order for opening a commercial intercourse with the Island of St. Domingo. Sends copies of further correspondence with Campbell concerning the publication of his reply to the Indians. Simcoe reports that he is at the Mohawk village, Grand River, on his way to Detroit. 186

April 26, Quebec. Same to same (No. 24). French influence in the United States and the passions of their people rendered necessary further instructions to Simcoe and an engineer to assist in tracing temporary works at Niagara in case of an immediate siege, which seems probable. The steps to be taken to secure the upper posts and Lower Canada, which is much exposed to inroads. State of the fortifications. It is reported that Vermont has offered to undertake the conquest of Canada, provided the troops were allowed to plunder the inhabitants. Even this does not accelerate the progress of the militia bill through the Assembly. 191

May 8, Quebec. Same to Hammond. Is surprised that the United States Government still maintain their interpretation of the 7th article of the treaty. It is not necessary to say that the negroes and property mentioned in that article, stipulated not to be carried away, were those which belonged to them at the time the treaty was made, or rather took effect. It is not even pretended that any of these were carried off. The objection to the King's jurisdiction in New York from the conclusion of the war does not deserve serious consideration; the supposition that the United States could open courts of law there, whilst the King's troops had possession

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was a new policy and must have produced mischief. The indulgence granted previous to the evacuation and how it was abused. Page 205

May 9, Whitehall. Dundas to Dorchester. A squadron to sail immediately under Rear Admiral Murray for the protection of the North American Provinces and of subjects trading with the United States. The fleet will probably inspect the coast before going to Halifax. In event of its being necessary to send intelligence to the Rear Admiral, that can be done through Hammond, Minister to the United States. 68

May 10, Quebec. Dorchester to Dundas (No. 25). The judicature bill passed; the militia bill requires only a last reading. Encloses a copy of letter to Hammond respecting the improper construction given by the United States Government to the 7th article of the treaty. The message from the American Minister of War, delivered to the Indians by Chapin, has united them more than could have been expected. 204

(For No. 26 of 24th May, see Q. 69, p. 2; No. 27 of 25th May, same volume, p. 5; No. 28, 7th June, Q 69–1, p. 1; No. 30, 7th June, p. 28; No. 31, same date, p. 31; No. 32, same date, p. 45.)

May 11, Whitehall. Dundas to Dorchester. Dispatches received. Osgoode appointed Chief Justice. That in order to reduce the expense, the offices held by Cox should be consolidated, and the salary to Le Maistre fixed at £200 or at the most £300 a year; this would allow of a pension to Mrs. Cox of £100. His favourable opinion of Finlay; will recommend him to every indulgence that can properly be shown him. 69

May 11, Whitehall. Same to same. His opinion respecting fees and perquisites approved of. By the appointment of Osgoode the Province is secured from such being taken; feels assured that the same may be said of the other judges. Comments on the terms of the commission, which are the same as those to the Welsh judges. The distinction between different classes of fees; His Lordship has authority to check abuses. Allowances, as suggested, may be made to the Presbyterian ministers in Quebec and Montreal. In consequence of the expense, does not approve of the addition of four members to the Council; temporary appointments may remove the difficulties complained of. Osgoode to be added to the Council, and Lymburner has agreed to attend to his duty or resign. Proclamation against seditious attempts approved of. What classes of bills may originate in either House. Appointment of Panet approved of. Hopes to send a liberal supply of arms for the militia. Hopes that the two battalions will soon be raised so that York and Long Point, or some other post on Lake Erie, may be occupied. Clarke's leave of absence extended for six months. 71

May 31, Quebec. Dorchester to Knox. Has received notification of the appointment of Osgoode to be Chief Justice. 216

June 7, Quebec. Same to Dundas (No. 29). Legislature prorogued; list of bills assented to; the Judicature Bill reserved. 217

June 10, Quebec. Same to same (No. 33). Sends minutes of Council on State business from 26th October, 1793, to 29th April, 1794, and on Crown Lands from the same date to 17th March, 1794. 219

Minutes on State business 22nd November, 1793. James McGill admitted to the Council; the Bishop of Quebec (Jacob Mountain) took the oaths; precautions against the admission of ill-intentioned persons to the Province. 220

Minutes, 26th November. Proclamation to apprehend disaffected persons read. 221

Ordered to be published. 223

Minutes, 22nd January, 1794. Documents relating to land granting laid before the Council. 224

Respecting the revision of the list of Justices of the Peace. 226

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Reports (2) of the Committee on accounts with proceedings, tables, etc. 1st report (227). 2nd report (252.) Page 227-252

The 2nd report enters minutely into the proceedings and expenses of the Surveyor General's Department.

Minutes, 23rd April. Report on the State of the Provincial revenue since the division of the Province. 340

Minutes, 29th April. Copies of the report on Revenue referred to the Council with copy of the Message. 365

Minutes on Crown Lands. 23rd January, 1794. List of papers from Dundas respecting land granting, fees, etc., referred to Council. 369

Petitions for land. 372

(The names of the petitioners are in the alphabetical list at the end of the calendar of this volume.)

Minutes, 29th January. Journal of the Committee of the Whole, respecting the completion of the surveys of the upper part of the St. Lawrence, the St. Francis, etc. 374

Respecting a letter of credit to be granted to the Surveyor General for surveying the township of Hemmingford. 376

Petitions for land. 377

(The names of the petitioners in list at end of volume).

Concerning the Surveyor General's non-compliance with the order of 23rd July, 1791. 379

July 5, Whitehall. Dundas to Dorchester. Dispatches received. The complaints of the copyhold tenants (*censitaires*) are cognizable by the Courts. In case of appeal to the Privy Council, one case would be sufficient, and the point once established, does not think it possible that any of the Seigniors would prosecute vexatious appeals. The great consequence which His Majesty's Government attach to the preservation of peace with America and the avoidance of anything like hostilities in consequence of disputes concerning the treaty line and the posts. A violent party exists in the States inimical to the real interests of their own Government, whose object is to drive all matters in dispute beyond the bounds of accommodation. Feels, therefore, that His Lordship's letter to Simcoe to occupy the posts on the Miamis, which were demolished after the peace, would rather provoke than prevent hostilities. The policy for the defence of Upper Canada is founded on the principle that the posts are held temporarily, leading in their evacuation to a final arrangement. Acknowledges, however, that under the circumstances, the forbearing line is the more difficult, as it is the more necessary at this moment, when the presence of Mr. Jay may lead to a final termination of all disputes and a perfect good understanding between the two countries; still provision must be made against the possibility of a contrary disposition on the part of America. An increase has been made to the fleet under Admiral Murray. Additional arms and troops shall also be sent. The broken condition of the Indian confederacy will relieve Wayne of material apprehension but means must be taken to secure their fidelity to His Majesty. His Lordship's attention to the frauds and embezzlements committed at Michilimakinak is approved of and he trusts that under McKee they may be suppressed. The Attorney General should prosecute, so as to make an example. His Majesty is highly pleased at the attention paid to Prince Edward. 175

July 15, Whitehall. Duke of Portland to Dorchester (No. 1). Dundas has reported the arrival of Jay, who has given the most explicit assurances that Wayne had no orders that could authorize him to attack any of the posts held since the peace, and it has been agreed that during the negotiations all things should remain in *statu quo*, both parties should continue to hold their possessions; all hostile measures, if any, should cease, that any

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prisoners or property taken should be released and restored, and that both Governments should give orders accordingly. Orders are sent to His Lordship accordingly to be acted on. Page 182

Letter enclosed of same date from Grenville to Hammond, reporting the arrival of Jay, and the arrangements made, substantially as in the preceding letter. 184

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1794. March 26, Fort Grenville.

Wayne's speech to the Six Nations, in which he insinuates that Big Tree was poisoned by the Delawares, and that many others had been poisoned at the council at the Rapids of the Miami. Page 225

(In Dorchester's letter to Dundas (No. 42) of 28th July, p. 216).

May 25, Rapids.

Message by two Delaware chiefs from the Glaize with six scalps, reporting the attack (p. 142), and asking for assistance. The scalps sent to the different Nations by the hands of a Huron chief. 144

May 26, Rapids, Miami.

McKee to England. Arrived here yesterday. A Delaware war party brought six scalps to be forwarded to all the Lake Indians; these and other scalps taken between Fort Washington and Fort Hamilton from a

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body of infantry defeated by 30 Indians. On the approach of 600 cavalry the Indians retired, having lost one man killed and one wounded. Page 141

May 26, Rapids. McKee to Simcoe. Reinforcements joining Wayne. The war chief cannot tell how many they killed (p. 142), but there were a great many. The Lake Indians collecting, and will soon be here. Others from Michilimakinak, Saginaw, &c., are on the way to join the confederates. 143

June 2, Rapids, Same to same. Reports the movements of the Indians. 146

A postscript of the 3rd reports the arrival of reinforcements to Wayne and the pushing forward of preparations by the Indians to oppose his advance. 147

June 2, Rapids. McKee to England. Substantially as letter to Simcoe of same date and postscript of the 3rd (pp. 146, 147). 150

Report of a deserter from Wayne's army, which is 2,000 strong, besides 500 in his garrisons; there are 300 riflemen in the army. A force of 700 Kentucky militia are ready to march under Scott, but must await orders from Congress. They are waiting till the corn is high enough to be destroyed. War with Great Britain believed to be inevitable, but heard nothing of a war with Spain. Three officers recruiting in Kentucky for the French service stopped by Congress. Wells and May, two spies, were with 16 others dressed and painted like Indians; they get $4 for every Indian scalp, and $1 a day. A reward of $1,000 is offered for Simon Girty's scalp. Wayne intends to fortify at the Glaize, and from thence proceed as far as possible towards Detroit. How provisions are brought. Men whose time has expired will not re-enlist; the duty is hard, and they are severely punished for light offences. 151

June 9, Buffalo Creek. Brant to Chapin. That the Indians are doing all they can to live at peace with the States; had hoped an answer would have been made by Congress to their moderate speeches, but whilst not doubting the sincerity of Congress, to their great surprise they find that the States have been carrying on an expedition beyond the boundary line, and have an armed force with cannon at LeBœuf, where they have already built two block houses. Repeats that the Indians wish for peace, but are afraid that there is a wish on the part of the States to disturb the tranquillity that has existed; the consequences of this may be dreadful. 148

June 12, Quebec. H. W. Ryland to King. Sends abstracts of Alien Act. Dorchester directs him to intimate that in case of accident to him, the administration of the Province would devolve on Dunn as senior Councillor and the command of the forces on Lieut Colonel Harris, of the 60th Regiment. 105

Abstract of the Alien Act (in English, 106; in French, 116.) 106, 116

June 18, Quebec. Dorchester to Dundas (No. 34). Sends exemplification of the laws and journals of Council and Assembly. 1

Proclamations for adjourning and convening the Legislature. 2 to 8

Journal of the Legislative Council from the 11th November, 1793, to the 31st May. 8 to 103

(The Journals of Assembly being printed have not been copied.)

June 18, Quebec. Dorchester to Dundas (No. 35). Sends Naval Officer's returns of vessels entered and cleared at Quebec, from 10th October, 1793, to 5th January last. (The returns are not with the letter.) 126

(No. 36, dated 21st June, in Q. 69, p. 49).

June 18, Buffalo Creek. Proceedings of council of the Six Nations, present General Chapin and attendants, from the United States; Mr. Johnson, interpreter from Upper Canada. Address to the President of the United States calling

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on him to pay no attention to what had been done in Congress, whose proceedings were unjust; they (the Indians) wished for nothing but justice. They want only the boundary agreed on and which was marked on the map, that their children may have a country to live in. It is not fear of death that caused them to try so long for peace. Congress and its commissioners have often deceived them. If the difficulties are not removed the consequences will be bad. Complaints of their friends being killed without notice or compensation and of the establishing a garrison at Presqu'Isle which may occasion mischief, for which they (the Six Nations) may be blamed. Their confidence in Chapin to get people removed from Indian lands. Chapin answered that he would go to Presqu' Isle; he could only advise; he had no power to drive the people off. Page 156

July 5, Quebec. Dorchester to Dundas (No. 37). Wayne's army advancing; the Indians had obtained an advantage over one of his convoys. Lieut. Colonel England has no confidence of receiving assistance from the militia in the defence of Detroit. The people in the Genesees have stopped other passengers; reports of firing at Oswego contradicted. Disaffection of the Caughnawagas and St. Regis Indians; the Americans have collected anchors and cordage for vessels building at Le Bœuf. 139

(Enclosures calendared at their respective dates.)

July 5, Quebec. Dorchester to Dundas (No. 38). Has appointed Rev. Mr. Tunstall to the living of Montreal to succeed Mr. de Lisle, who died on the 30th ulto. Cannot, therefore, comply with the wish of the Bishop of Quebec to appoint his brother. 154

July 11, Quebec. Same to Simcoe. The suspicious conduct of Desjardins and of Williamson; the report of the violence of the latter and of his providing arms and artillery for the people of the Sodus. The terms of the treaty were speedily and fully executed on the side of the Atlantic, but as it became evident that the United States were not disposed to comply with these, as affecting their interest, it was necessary to suspend such part as related to the Indian country and posts, where the King's authority remained, until by the execution of the treaty on the part of the United States proper orders can be given to deliver what may be claimed under the treaty. Their impatience has led them to claim possession of the Indian country and the privileges granted on conditions they have never performed. Having nothing to support this claim they are trying to draw the King's officers into unguarded acts or expressions which they could hold as acknowledgments of their claims. The steps to be taken to present a formal protest against encroachments should French intrigue draw the United States into a war with Britain; desires him to send information as to his military resources. 162

Form of protest referred to in preceding letter. 165

July 12, Quebec. Dorchester to Dundas (No. 39). Sends report of a council at Buffalo Creek of the Six Nations, at which they persist in demanding the boundary line they formerly proposed between them and the States; and to have the party at Presqu' Isle removed. Has sent Simcoe's letter concerning the proceedings of the United States and a protest against their encroachments. 155

July 12, Quebec. Monk to Dorchester. Report respecting the formation of loyal associations; their good effects; the intrigues of the French and Americans; the hostile disposition of the latter, &c. 201

Depositions by Ephraim Barnes against Duclos. 207

By Festus Drake against Davis, Story and Castille. 209

A second by Drake against Story. 211

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July 12. Quebec.

Dorchester to Dundas (No. 40). Sends Minutes of Council on State business from 30th April and on Crown lands from 18th March, both to the 18th June. Page 166

Minutes on State business. Address respecting law fees ordered to be sent to the Judges, Attorney General, &c. 167

Address respecting repairs to the House of Assembly referred to the engineer to examine and report. 168

Warrant issued for the salary of the Clerk of Assembly. 168

Report on Public Accounts, with proceedings and details. 169

Oath of allegiance taken by Rev. Pierre Denaut, co-adjutor of Quebec. 191

Petition for an office for the land registers, presented by Philip de Rocheblave with report. 191

Consideration of reports postponed. 195

Minutes on Crown Lands. Report on the petition of William Read of Georgia and others. 197

July 12. Quebec.

Dorchester to Dundas (No. 41). Encloses the Attorney General's fifth report on the detection of those endeavouring to excite and spread sedition. Mr. Monk's zealous conduct; the sedition has subsided without military interference. An association formed at Quebec to testify a spirit of loyalty; it was concurred in there, and others formed at Montreal and other districts. Is afraid, in case of actual invasion, things would return to their former state, perhaps to a worse, if left to the strength of the Province and to the small regular force allowed for defence. 199

July 28. Quebec.

Same to same (No. 42). The Six Nations have not succeeded in persuading the troops to leave Le Boeuf, but they have promised not to advance. The Indians still insist on the boundary line first proposed, and are put off with fair speeches, probably till it is seen what success Wayne meets with. His insinuation that the Western Indians had poisoned the chiefs of the Six Nations received with indignation. Williamson still carrying on with the same hostility at the Sodus, where he is building a vessel and intends erecting a small fort at the mouth of the river. 216

Proceedings of the deputies from the Six Nations and General Chapin, at their meeting on 26th June with Ellicot and the officer commanding at Fort Le Boeuf, with the answer by them to the Indian demand. 218

Report to the Council at Buffalo Creek on 4th July, with speech to General Washington. 220

General Chapin's answer. 222

July 28. Quebec.

Dorchester to Dundas (No. 43). Sends requisition for supplies for the upper posts and visiting Indians. The numerous assemblage of Indians in the Western Country the cause of a deficit. Why the requisition is sent earlier than usual. 229

Requisitions. 230 233 234

July 28. Quebec.

Dorchester to Dundas (No. 44). Arrival of Osgoode; he has no *Mandamus* for a seat in the Executive Council, so that the Province is still deprived of a Court of Appeal. Has little expectation of raising two battalions; has, however, sent beating order to Simcoe and authorized additional bounty. 236

August 13. Whitehall.

Portland to Dorchester (No. 2). Dispatches received. No posts are to be taken up but those already occupied; entertains no doubt that the agreement between Grenville and Jay respecting the posts will secure peace and all other disputes be amicably adjusted. At the same time precautions should be taken and refers to Mann's reports respecting fortifications. Copies of letters from Dundas will show the additional force sent for Nova Scotia and Quebec. Remarks on correspondence respecting

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the Judicature bill; the misconstruction by the United States of the 7th Article of the treaty; the probable union of the Six Nations with the Western Indians. Is sorry to find the spirit of indifference to self defence shown by the new subjects in Lower Canada and the progress made by the French agents of Genet to produce a feeling shown in acts of a mutinous and treasonable character. The suspension of the *Habeas Corpus* Act is a wise measure; with a well disposed legislature has no doubt that peace can be maintained. Some discontents may arise from the contests between the Seigniors and those holding under them, but he understands a clause of the Judicature bill will bring such complaints before the Court of King's Bench, as formerly before the Intendant. To consider if the Attorney General should not intervene. The good policy of orders for raising two battalions of militia; how these should be acted on. The *Mandamus* directing that the Bishop of Quebec should have a seat in the Council affords no room for jealousy. The propriety of giving a seat to the Catholic Bishop also will be considered by His Majesty. Approves of the means taken to lessen the expenditure and increase the revenues of the Province. How the expense of surveying land grants may be reduced. Remarks on the Provincial Acts which had been assented to; they are approved of and the Judicature bill which had been reserved is allowed to be passed into a law. Monk appointed Chief Justice of Montreal at £900, in full of all fees, &c. He is to be appointed to the Executive and Legislative Councils. The importance of the office of Attorney General renders it necessary that His Majesty's approval shall be obtained for the appointment. Page 127

August 13, Whitehall. Portland to Dorchester. (Private and secret.) The likelihood of satisfactory settlement with Jay of disputes with the States. The arrangements for the protection of the interests of the settlers when the posts are given up. Preliminary preparations to be made, but nothing ostensible done till further is communicated. Only Simcoe to know the contents of this letter. 137

September 5, Whitehall. Same to same (No. 3). Dispatches received. The negotiations with Jay are proceeding in a satisfactory manner. Remarks on dispatches and minutes. The satisfaction with Monk's proceedings as Attorney General for the suppression of sedition. 214

September 16, Whitehall. Same to same (No. 4). The critical situation of the Americans with respect to the Indians. If the latter are successful it may admit of an interposition for a settlement. The requisition for supplies sent to the Treasury. The warrants filling up the vacancies in the Council have been long since forwarded. 238

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Q. 69 1.

1794. January 2, New Orleans. Baron Carondelet, Governor General of Louisiana, to Simcoe (in French). Intended attack on Louisiana, as shown by a circular printed at Philadelphia by the Jacobins. The attack is to be made by the upper and lower parts of the Mississippi, although the United States have sent orders to oppose all attempts of the French against the Spanish possessions. Brigadier Clarke, on behalf of Genet, sent from France, has undertaken to raise 5,000 men on the Ohio, to attack first the Spanish settlements on the Illinois and the Fort of New Madrid on the Mississippi, hoping with the artillery found in these posts to be in a position to attack the rest of Louisiana. The money for this enterprise amounts to $1,000,000, and a Fleming, named Péan, is making all

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necessary purchases at Fort Pitt. Believing that it is the interest of Britain that the Illinois should remain in possession of Spain, and that the trade should not pass to France or the United States, applies for assistance, although not authorised by the relations between the two courts, and following the example of Lord Dunmore, who, when lately threatened by an expedition from New York, applied to the Government of Havana for a reinforcement. The letter may be late in reaching, but owing to delays in the expedition there may be time to send a corps of 500 to march by St. Louis, so as to defeat the enemy's designs. Page 38

April 11, Miami Rapids. Simcoe to Carondelet. His letter (dated 2nd January) reached here on the 8th of April. He had come here to establish a post for self defence, in case Wayne should invade the British possessions; his advanced post is only 90 miles distant, so that he cannot afford assistance to St. Louis even if authorised to do so. Agrees in opinion that it is the British interest that Louisiana should remain in the hands of Spain, and would be happy were the alliance between the two Crowns strengthened, and the more so as the co-operation of their forces would be of consequence should the United States force on a war. The Indians determined to resist the encroachments of the United States, who are claiming their whole country. Laments the unfortunate situation of Bowles, whose influence was directed to settle a boundary between the Creek and Cherokee Indians, and the people of Georgia and Carolina. Sends a Gazette of the United States, which elucidates the designs of this persevering, rapacious and ambitious people. Polite messages. 41

April 14, Glaize. Speech of the Shawanese, Delawares, Miamis, Mingoes, &c., with deputies from the Wabash, to Simcoe, delivered to Elliot, asking for supplies of necessaries. 36

April 29, Navy Hall. Simcoe to Dorchester. The Wabash Indians have left the lower parts of the river and drawn nearer Detroit, so that trade will return to its accustomed channel. The Chippewas have determined on war; general union of the Indians. Wayne in camp at Grenville, covered by a redoubt; he has sent 1,000 men beyond the Ohio; the Indians saw the troops on the march. Something has happened apparently to change his plans; Wayne has cut a different road from that of St. Clair, pointing to the navigable waters of the Glaize, intending to reach Lake Erie. It is reported he is to march in May, and some hundreds of Indians have set off to oppose him and strike at his convoys. 33

April 29, Navy Hall. Same to same. The speech sent by the Spanish Lieutenant Governor to the Indians in the neighbourhood of the Miamis has had the effect of uniting all the Indians against the United States. 44

May 4, York. Same to same. Corn Planter has renewed his promise that no posts should be established at Presqu' Isle by the people of the United States. The Onondagos intend to quit their country privately and proceed by Oswego to Buffalo Creek; the movement will alarm the Genesees and particularly Dantorth, the most virulent enemy of Great Britain in that country. 35

May 7, Miami Rapids. Report by McKee of the arrival of deputies from the Three Nations of the Glaize, bringing a message from the Spaniards (given in full). 60

May, 15, 16, Buffalo Creek. Extract from the journal of Captain Johnston. The arrival of Reese, calling himself a United States' surveyor, who told the Indians that it was intended to survey Presqu' Isle and the adjacent country; that armed parties were on the march to join him; that three forts were to be built, one at Presqu' Isle, one at LeBœuf and one at Cansawago on French Creek. On the 16th Reese left Buffalo Creek in a boat, but before leaving he told the Indians that the Americans intended to build a great

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number of boats; if opposed they would build large vessels which would set opposition at defiance. Page 66

May 19, Navy Hall. Simcoe to Beckwith. That a correspondence is carried on between persons in Montreal and others in Vermont, a lodge of Freemasons having been established in Vermont by people in Montreal to facilitate the correspondence. 59

May 21, Quebec. Monk to Dorchester. Report on the state of political feeling; encloses deposition. Two principal actors have been arrested. 10

Deposition of J. B. Leclair. 11

Deposition of Jean Cliche. 15

Deposition of Louis Savard. 17

(These three from Charlesbourg.)

Deposition of Augustin Laneau (blacksmith, Quebec). 19

Deposition of Jean Baptiste Vocel Belhumeur. 22

A second deposition by Belhumeur. 25

May 29, Quebec. Monk to Dorchester. Report on the state of political feeling and the seditious conduct of a majority of the inhabitants of the parishes in Lower Canada. 4

June 2, Navy Hall. Simcoe to same The people of the States approaching Presqu' Isle, if not already settled there; critical situation as respects the Indians and the Province. Oswego surrounded by lawless banditti fomented by Danforth, probably by higher authority. Boats plundered and the King's subjects detained; complaints sent to the Governor of New York. Reported that Oswego is to be attacked; firing heard on Thursday. Bouchette and Baker ordered to call off the port; does not believe that anything serious has happened. Williamson threatens to pass down the river by force; Bertzie (Berczy) reports that the arms used by the banditti were furnished by Williamson, and are new. 68

June 7, Quebec. Dorchester to Dundas (No. 28). Reports by the Attorney General and depositions contain a further account of the intrigues carried on in the Province. The concealment is a very bad sign. It is evident that the intriguers are keeping an eye on Paris; if successful there they would imitate the example. The arrest of some of the leaders will lead to further discoveries. Reports circulated that a French fleet was coming up the river and that the Americans were on the point of entering the Province by way of Lake Champlain and St. John's. Little additional strength can be expected from the order to enlist men for the regiments and to raise two battalions. 1

June 7, Quebec. Same to same (No. 30.) Has complied with Prince Edward's wish to be stationed in Nova Scotia. 28

Letter to Prince Edward (Duke of Kent) of same date, that he is to have the command in Nova Scotia. Cannot spare any of the force in Quebec at present; the Royal Fusiliers shall be kept at hand, so that in event of circumstances permitting it they may be sent to Halifax. 29

June 7, Quebec. Dorchester to Dundas (No. 31). Reports state that the Indian confederacy is daily increasing in strength. The preparation for an attack on Louisiana by the influence of French intrigue, has excited the vigilance of the Spanish Governor; his measures to unite the Indians. Sketches showing the posts abandoned at the peace, and Wayne's route into the Indian country. Report that the States have troops at Presqu' Isle. 31

Sketch of the Bass River and part of the Miami. 44*a*

Sketch of Wayne's route, &c. 44*b*

June 7, Quebec. Dorchester to Dundas (No. 32). Suggests that certain salaries and pensions of officers administering the Government and others should be separated from the public accounts laid before the Legislative Council. 45

List of the salaries referred to. 47

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June 18.
Quebec.

Monk to Dorchester. His fourth report of the state of political feeling. Sends report from the Solicitor General. The country round Montreal in a state of almost universal disaffection among the Canadians. British subjects are loyal and well disposed. No seditious conduct in the City of Montreal since the riot on 25th April last, when Loveillé was to have been pilloried. Sedition exists near Montreal and exertions publicly used to defeat the militia laws. A leader, not yet discovered, is at Montreal organising the Canadians. Other instances of disaffection. Much of the blame attributable to the weakness and inactivity of the Magistrates in not enforcing the laws. Arrest of Dumontier for high treason; details given of his acts. The exertions made in the City of Montreal against seditious characters have had the best effect. [illegible]

June 21.
Quebec.

Dorchester to Dundas (No. 36). Sends copy of letter to H[illegible] in answer to complaint of Randolph respecting his (Dorchester's) [illegible]n to the Indians and the reoccupying a post near the Miami Rapids. Little prospect of assistance here owing to the spirit of the Canadians; the enemies of the King may expect much if the seditious meetings at Quebec and Montreal be taken as evidence; report of a speech from the Spaniards to the Indians at the Glaize; they have formed a union to oppose the invasion of their country by the States. Preparations making by the States for a post at Presqu' Isle and forts of communication thence to Venango. Report of firing on the post at Oswego. 49

June 21.
Quebec.

Same to Hammond. His judicious answer to Secretary Randolph. Had the States fulfilled the treaty of peace, the posts would have been bound to be delivered up, the right of pre-emption to Indian lands would have followed and the free navigation of the Mississippi, according to the 8th article. Not doubting that it would be the sincere wish of the States to preserve a good understanding, a post was withdrawn, situated near the Miami Rapids, not far from the one now complained of, which is on the Detroit side of the river. To preserve trade and to prevent Detroit from being insidiously strangled, the post was re-occupied, for the transactions on Lake Champlain, and Sinclair's (St. Clair's) instructions were sufficient to weaken confidence in the professions of the United States. The agreement that pending negotiations all things should remain in *statu quo* was proper, but every advance into the Indian country and every purchase of their lands is an infringement of the agreement, and an encroachment on the King's right of pre-emption ceded to them on conditions which they never performed. The style assumed by many to inflame the minds of the multitude. It might be accounted for in former times, but it is extraordinary that it should again be taken up to bend the people of North America to French interests and French politics. Were it not for the danger of such a course, it might be suspected that some persons in the administration, for the purposes of private ambition, aim to hurl the States head long into a war, and to cover their agency in it by the excesses of the people. 51

July 26.
Miami
Rapids.

McKee to Simcoe (extract). Statement of the establishment of the different forts on the Miami River, since 1751, and at the Miami towns since 1763. The possession of these posts has never been given up; they are considered as depending on Detroit. 187

July 28.
Quebec.

Dorchester to Dundas (No. 45). Sends Naval Officer's returns of vessels entered and cleared at Quebec, between the 5th April and 5th instant. 70

August 5.
Quebec.

Same to same (No. 46). Sends report of survey on Indian stores received by the "Caroline." 71

Report. 72

1794.
August 6, Quebec.

Dorchester to Dundas (No. 47). Sends state of the forces. In event of his leaving the Province, Harris will command the forces and Dunn administer the Government. Page 74

August 7, Quebec.

Same to same (No. 48). (Dated 7th July, evidently an error). Attack by Indians on 300 pack horses returning from Fort Recovery to Fort Grenville; all these with the horsemen and 30 bullocks taken or killed. Gibson in command at Fort Recovery, ordered a troop of horse to charge the Indians, but these, with the Infantry drawn up to support them, beaten back, with the loss of 50 men including Captain Gibson and two other officers and 25 horses. The Indians repulsed in their attack on the fort, 17 being killed and many wounded. 75

August 14, Miami Rapids.

McKee to England. Sends speech to the Indians and instructions to Miller from Wayne. Had overheard him (Miller) tell the Indians that the designs of the army were against the English, and he took the enclosed oath to that effect. Will send word as soon as he knows the determination of the Indians. 188

Instructions to Miller by Wayne, dated 13th August, to deliver to the Indians the speech with which he is entrusted. The lives of eight Indian prisoners in Wayne's possession will depend on his (Miller's) safety. 189

Oath by Christopher Miller, that he was desired by Wayne to inform the Indians that if they withdrew or came and made peace, his (Wayne's) designs are not against them, but against the English. 190

Wayne's message to the Indians, desiring them to come in and make peace. 191

September 1, Quebec.

Dorchester to Hammond. During the late war, posts were occupied on the Miamis, which, from time to time, had been relinquished for the sake of convenience. The Miamis have always been considered as depending on Detroit, but he does not mention this to lessen the King's claim in the Indian country. Till the treaty is carried into execution by the United States, the King's rights remain precisely as before the treaty. Patience and forbearance under encroachments give no rights to the United States, but the right of the strongest with which they seem determined to go all lengths. Wayne arrived with his army at the Glaize on the 6th ultimo. His object is not only to attack the fort of the Miamis, but to drive the English from that country. 185

September 4, Quebec.

Same to Dundas (No. 49). Had received what purported to be a copy of his answer to a message from the Indians assembled at the Miamis last fall. It is tolerably correct, considering what hands it passed through, but a paragraph is omitted and alterations made, which he thinks were designed. He knew the friendly disposition of Government towards the United States, and had no contrary inclination himself. The great change he found in the United States on his return; all things under French impulse moving rapidly towards hostilities, so that he considered a rupture inevitable. Their state policy to impress on the people "the rank injustice and unfairness of our pro-"cedure" had made the people ready, so that they eagerly joined their Jacobin friends; "some not aware to what extremities it might lead "them, others willing to run all lengths; both desirous to profit by the "supposed embarrassment of our affairs, and of opinion we dare not "resist." It was impossible in these circumstances to give the Indian deputies hopes of peace through British mediation, and he saw no reason to conceal his opinion. Has seen nothing to change that opinion. It would, apart from his inclination, be folly to provoke hostility "or to begin (as Mr. Secretary Randolph is pleased to call it) hostility itself." It will give him satisfaction should they (the United States) escape the dangers to which they are exposed from their unnatural connection, and

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adopt a national policy more suited to their general interests. Asks leave to resign his command, so that he may return home by the first opportunity. Page 176

September 5, Quebec. Dorchester to Dundas (No. 50). Sends copies of answers to Indian deputations, one to the Indians of the Seven Villages concerning their claim to the lands on the St. Lawrence settled by the loyalists, the other to those of the Lake of Two Mountains, complaining that they have no place of settlement and no lands they can call their own. The behaviour of the latter has always been meritorious; cannot say the same for the Caughnawagas, but justice must be done. Owing to the advanced age of Colonels Butler and Campbell he will give a commission to McKee, similar to that held by Guy Johnson. McKee's merits. Encloses letter from Simcoe. 179

Answer to the Indians of the Seven Villages at a council held at Montreal on the 28th and 29th August. 181

Answer to the Indians of the Lake of Two Mountains at the same council. 184

September 5, Quebec. Dorchester to Dundas (No. 51). Has informed Le Maistre of the approval of his appointment to be Lieut. Governor of Gaspé, &c., and to Mrs. Cox of the King's bounty of £100 a year. Le Maistre will go down as soon as the season shall permit, to arrange the militia, &c. 194

September 8, Quebec. Same to same (No. 52). Dispatches received. The judges are appointed during pleasure, but in equity they should be considered as holding during good behaviour, though it may be judicious to disencumber them of the means of such chicaneries as might shelter guilt. The sacrifice of income made by Panet in accepting the judgeship; the necessity of filling up the vacancies on the Bench, especially of the two Canadian Judges, to allay jealousy. 195

September 16, Quebec. Same to same (No. 56). Points out errors in the warrant for holding courts martial and encloses the Attorney General's opinion on their effect. 84

The opinion. 85

October 1 Quebec. Dorchester to Dundas (No. 59). Sends Minutes of Council on State business and on Crown Lands both for the period from 19th June to 19th September. 87

Minutes on State business, 25th July. Henry Caldwell sworn as Receiver General; the warrants authorizing the same. 88

Report of Committee on disbursements of the House of Assembly. 90

Report on the annual statement of births, marriages and deaths. 92

Minutes, 19th September. W. Osgoode, Chief Justice, sworn in as an Executive Councillor and judge in appeal. 96

Subjects referred to Committee. 97

Minutes on Crown Lands, 25th July. Report and work in the Surveyor General's office. 99

Report respecting commissioners for examining settlers, with instructions. 100

Minutes, 19th September. Reference respecting reservations. 107

October 4, Whitehall. Portland to Dorchester (No. 5). Dispatches received; his conduct in checking seditious practices approved of. His stationing Prince Edward in Nova Scotia has anticipated the King's intentions. The agreement between Grenville and Jay renders a detailed answer to letters unnecessary. His satisfaction at the general reunion of the Indians, which may give an opportunity for friendly mediation. The presentation of salaries in the accounts left to his Lordship's judgment; there is no intention of burdening the Provinces with those selected, but as the Provinces increase in wealth and power, the expenses of administration should be

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gradually assumed. Clarke, although his leave has been extended, is in readiness to embark for Quebec at a moment's notice. Page 77

October 4, Whitehall. Portland to Dorchester (No. 6). Sends minutes of the Lords of the Treasury on Cuthbert's claim, for remarks. 81

Treasury Minute of 18th August, 1789. 82

October 5, Quebec. Dorchester to Dundas (No. 62). Sends additional report (No. 6) from the Attorney General, respecting the spirit of sedition in the country. 109

Monk's report, dated the 2nd October. The extension of the Loyal Association and its good effects; this and arrest of seditious persons has had a most favourable effect on the state of the Militia, and the laws have now their proper weight, so that an unprejudicial inquiry has been made respecting seditious persons at late trials before the King's Bench at Montreal, a note of which is given. There are still four persons in gaol for similar offences. Attacks to rescue prisoners in several parishes near Montreal repressed by the magistrates and militia. The power of legal authority has been shown by the flight and escape of various persons, some to the United States, others to the French ships. Hopes to effect convictions of the most notorious; the good effects of the Alien Act and of the suspension of the *habeus corpus* Act. The prospect of peace with the United States may be productive of good order, but French republican and revolutionary principles have poisoned the minds of too many, requiring strict watchfulness and a vigorous execution of the law. 110

October 11, Quebec. Dorchester to Portland. On receipt of dispatches, dated 11th and 15th of July, had informed Wayne and Simcoe of the agreement between Grenville and Jay. 122

Dorchester to Wayne, with notice of the agreement between Grenville and Jay that during the present negotiations everything is to remain in *statu quo*. 123

Same to Simcoe, dated the 7th, stating that in case of failure of the above mentioned agreement he would not slacken to send ordnance and military stores for defence. 125

October 20, Quebec. Same to Portland (No. 2). Sends Naval Officer's returns of vessels entered and cleared at Quebec between the 5th of July and the 5th instant. 127

October 25, Quebec. Same to same (No. 3). Sends Council minutes on State business and on Crown Lands, both from the 20th September to the 20th instant. 128

Minutes on State business, 10th October. Report of a Committee on a letter from the Commissioners of Customs in reference to the maintenance of a boat and crew for revenue purposes. 129

Resolution that in pecuniary matters persons interested may have copies of the proceedings of Council. 133

Report on the diagram for the laying out of ungranted Crown Lands. 133

Report respecting the table of fees on land grants. 135

Correspondence respecting the portion of the fees for the Governor, which Dorchester refuses to accept for himself and desires to render it more difficult for any of his successors to receive, as being improper and not conducive to the efficiency of the King's service. 139

Minutes, 15th October. Report on a communication concerning a malignant fever reported to prevail in the West Indies, and concerning quarantine, with form of warrant for that purpose. 142

Draught of a commission anthorising commissioners to administer oaths, &c., to intending settlers. 147

Minutes, 20th October. Oath of allegiance taken by Rev. Philippe Jean Louis Des Jardins, Vicar General of Quebec. 148

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Minutes on Crown Lands 10th October. Petitions; Abraham Cuyler; Cornelius Cuyler and the same for James Cuyler. Page 150

Report on Diagram (see p 133). The diagram D at page 151 A. 151

Same on land fees (see p. 135), with correspondence. 153

Same as to the public notice to be given to applicants for waste lands of the Crown. 159

Minutes, 15th October. Commission to administer oaths to settlers. 164

Minutes, 20th October. A variation in the particulars to be transmitted by intending settlers sanctioned. 165

November 4, Quebec. Dorchester to Portland (No. 4). Sends minutes concerning Crown Lands, from 21st to 30th October. 170

Minutes, 30th October. Report on diagram E for an inland township (diagram E at page 172 A). 171

November 8, Whitehall. Portland to Dorchester (No. 7). Dispatches received, part of which, being of a military nature, will be attended to by Dundas. Instructions to the commissioners to examine the character of intending settlers approved of. Monk's satisfactory report (p. 110). Amended court martial warrants shall be sent. 116

November 19, Whitehall. Same to same (private). The treaty between Grenville and Jay signed yesterday; all matters in dispute with the American States amicably adjusted. Sends confidentially a copy of the treaty, so that steps may be taken to carry out its stipulations in the North American Provinces, especially those of Lower and Upper Canada. The commercial interests of Canada and those connected with the Indians have been attended to. How the connection with the Indians is to be maintained, and effectual means to be used for the preservation of their friendship and for obtaining their peaceable acquiesence in the surrender of the posts. New posts on the Canadian side of the treaty line to facilitate commercial intercourse with the Indians. The earnest wish of His Majesty's Government for peace between the American States and the Indians; desires him, in concert with Hammond and Simcoe, to use his best endeavours for the attainment of an object so advantageous to all concerned. 118

November 26, Whitehall. Same to same (private). Not to divulge the contents of the treaty until proper ratifications have been exchanged. 121

December 8, Whitehall. Same to same (No. 8). Dispatches received. Letters to Wayne and Simcoe approved of. Minutes of Council respecting the distribution of Church and Crown lands, and a table of fees satisfactory. His Lordship's liberality and patriotism in waving all acceptance of the fees established. What has been done to relieve the civil establishment of Lower Canada of the expense of surveys. 174

December 25, Whitehall. Same to same. Dispatches received and laid before the King. Is aware of his (Dorchester's) difficulties, of the violent conduct of a party in the United States, of the supineness of the Canadians and of the seeds of disaffection sown amongst them, but does not consider that the advice of his predecessor to use the greatest forbearance should lead him to propose retiring from his present command. (See p. 178). The necessity for mutual frankness. His answers to the Indians satisfactory; trusts that the appointment of McKee will have the good effect of securing their attachment. His satisfaction that LeMaistre is to arrange the militia of the Gaspé district. The importance of the regular establishment of the militia of Canada, so as to create a disposition on the part of the Canadians to defend their country. The correspondence between Colonel Campbell and General Wayne does credit to the Colonel's prudence and firmness. The final termination of matters in dispute with the United States, leaves the posts till the time fixed for their cession; trusts that in the interim the disposition of his neighbours (the United

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States) may prevent a repetition of disputes and disturbances within the limits of the posts of Pointe au Fer and Dutchman's Point. In the meantime attention to be paid to the defences on the British side of Lake Champlain and to the disposition and principles of the settlers there.

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GOV. LORD DORCHESTER, 1794.

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1793. November 5. Quebec.

Monk to the Bishop of Quebec. Respecting the provision for the support of the Church of England in Canada. The right to tithes was created by Act of Parliament and would only be ceded on a permanent provision being made by the parishioners. Respecting the Clergy Reserves. Page 368

Report and opinion of the Attorney General upon the Governor's right to grant charters creative of parishes exclusive of the right of rectors to tithes and rates. Holds that this limitation in the charter might legally be effected by an Act of the Legislature of the Province sanctioned by His Majesty, but not by a charter. 372

Other papers on the subject. 375 to 377

Memorandum relating to the Executive Council, to which the Bishop of Quebec should be appointed. 378

November 20. Quebec.

Bishop of Quebec to Dundas. Had arrived on the 1st. Had been surprised to find that the *Mandamus* constituting him Bishop of Quebec and a member of the Legislative Council had not been received by Dorchester. The great evil caused by the omission of this paper. The relative positions of the Roman Catholic and Anglican Churches; the mortification caused to the friends of the latter by the detention of the *Mandamus*. Proposes when the roads are passable to visit Trois Rivières, William Henry and Montreal. It will not be possible to reach Upper Canada till Spring, nor indeed till his privileges be officially ascertained. Is sorry to learn of the difference between the Chief Justice and the Attorney General respecting tithes in newly erected parsonages; desires instructions on this head. 381

November 20. Quebec.

Same to same. The illness of Chief Justice Smith; he cannot recover. 384

December 30.

Bishop of Lincoln to Dundas (?) with papers from the Bishop of Quebec respecting his being appointed a member of the Privy Council of Lower Canada. 366

1794. January 3. Quebec.

Monk to Nepean (No. 25). Concerning the delay in coming to a decision in the case of Grant. His efforts to continue this delay. 239

Report by the Attorney General (Monk) on the petition of William Grant for the Governor and Commander-in-chief to call a court of appeal. 241

January 3. Quebec.

Monk to Nepean (No. 26). This mail carries official news of the vacancy in the office of Chief Justice for Lower Canada, and the necessity that it should be early filled up. There should besides, be a Chief Justice for Montreal. If he (Monk) should get one of these offices, an Attorney General should be sent from Great Britain, and the judicial powers of the Colony extended. The want of a Chief Justice at Montreal generally felt. The desire of the Bishop of Quebec and of Prince Edward for his (Monk's) appointment to the office of Chief Justice. His feeling of gratitude towards Nepean. 243

January 17.

W. Grant to Dundas (?). Has heard of the expected death of Mr. Smith; recommends Osgoode to succeed, and that Monk be Chief Justice of Montreal. The difficulty in getting a good Attorney General. 203

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January — Extract from a pamphlet circulated in Canada, entitled "Les Français libres à leurs frères les Canadiens." Page 224

February 10, London. — Mrs. Monk to Nepean (?). Report received of the death of Mr. Smith, Chief Justice, Quebec. Asks that Monk succeed to the office. 246

March 20, London. — Same to same (?). Thanks for his polite letter; her gratitude for his friendly conduct towards Mr. Monk. 248

March 29, Quebec. — Monk to Nepean (No.27). His last advices sent by Finlay. The bustle among "our neighbours" (United States); they only want the power to do harm. The alarm to the merchants created by Dorchester's speech, which seems to mean war. The Governor will announce his law appointments and ask approval for three judges, two Canadians, Panet and de Bonne, and one English, James Walker; he will probaby announce other appointments. The judicature bill has got through the Assembly; when engrossed it will probably in three days go to the Council and be there about fifteen. Has made the bill so complete that there should be no difficulty in obtaining the royal sanction. By this law the system of administering justice will be greatly improved and, in time, satisfactory. This and the militia bill have taken up the whole time of the Assembly. The Legislative Council do nothing. The militia bill will come from the committee and pass the Assembly if at all, in three weeks. Delays in the delivery of mails. Expected peace between the States and Indians. 249

April 17. — W. Grant to Dundas. Sends address from Viscount de Vaux for a passage for him and his associates to Canada, and for a more beneficial grant of lands than seems to be authorised. If a plan should be adopted to send a body of French emigrants to Canada, hopes de Vaux may be employed. 204

May 25, Quebec. — Monk to same. Acknowledges the kind sentiments in letter of 5th March. The progress of the judicature bill. Thanks for the recommendation that he (Monk) should be Chief Justice of Montreal; hopes he may deserve to be made Chief Justice of Lower Canada. 252

May 30, Quebec. — Same to same. Had written by way of Halifax on the 25th. Does not know when the bill (judicature) will be transmitted for the royal assent; it remains over to the end of the session, when a law will be passed to enforce the terms of a proclamation rendered necessary by the diffusion of French principles. Its objects are, 1. To prevent the coming in of aliens. 2. To suspend the *habeas corpus* Act in cases of treason or suspicion. 3. To prevent assemblages of people, seditious discourses, false news, &c., and increase the power of the magistracy. His services in getting that and the judicature bill passed. The spread of French principles was so general, and the whole country so infected, that it was found in calling out the militia there was scarcely a hope of assistance from the new subjects; the old subjects to a man manifested their loyalty. Threats used by the disaffected against the few new subjects, who were found loyal. It is astonishing to find the same savagery exhibited here as in France, in so short a period for corruption. Blood alliance does not check the menaces, upon the non-complying peasants, these include burning their houses, death, embowelling, decapitation and carrying the heads on a pole, as the depositions show, besides throwing off all regard for religion. The intrigues have been traced to Genet and the French Consuls. Correspondence has been carried on between Canadians in the United States and the disaffected in Canada, and French emissaries have been sent in to prepare the people to follow the example of France. The pains taken at the elections to have English candidates rejected, but the old subjects were not free from blame. His idea is to have at least 5,000 troops in Canada till the war with France has ended. The good effects of passing the judicature bill

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and improving the administration of justice. Had a chief justice been at Montreal, there would have been no attempt to rescue a prisoner under sentence as had lately been done. The importance of Montreal requires attention from those administering justice. The Solicitor General should reside there, and as soon as the Lieutenant Governor is in the Province he should also live there. Additional military aid would afford security and preserve obedience. The arrests made have produced considerable effect. Page 254

June 6, Quebec. Monk to Dundas. The judicature bill has passed and been reserved. 1. Remarks on the bill of which he sends abstract. 2. Remarks on parts of the bill. 3. Respecting the parts omitted, Considers it a great improvement on the judicial powers of the colony. Gives a sketch of the original grants down to 1700; the revision in 1711; the practice since 1763, of which great complaint has been made. One clause of the bill is to remove doubts that existed as to the power of the courts to adjudicate on these subjects. Proposes to renew in the Attorney General the powers the Advocate General held under French rule to protect the peasant against the exactions of the seignior; the good effect this would produce, in overcoming seditious arts, &c. 261

No. 1. Heads of judicature bill passed May, 1794. 268

Court of Appeal. 275

Special clauses, coroners, *habeas corpus*, &c. 277

Ordinances repealed. 278

Table of Court days to be held during each year. 280

No. 2. Remarks on the judicature bill. 282

No. 3. Parts of a bill passed by the Legislative Council in April, 1793, omitted in the bill of May, 1794; also parts added to the latter not included in the former bill. 289

June 6, Quebec. Monk to Dundas. Remarks on the duties of Chief Justice in Montreal; the lessening of the duties of the Chief Justice of Lower Canada by the new appointment. The importance of appointing the second Chief Justice to the Legislative and Executive Councils. 294

June 6, Quebec. Same to Nepean (No. 33). Thanks for the hopes held out to him of being Chief Justice of the King's Bench, Montreal. Calls attention to the extent of the duties and the inadequacy of the salary, respecting which he has written Dundas. Clarke can give information respecting his (Monk's) services. The prospect of peace with the United States gives him comfort, knowing the character of the people of this country (Canada). Believes he is warranted in writing to Dundas on the subject of the duty of Government to attend to the conduct of the Seigniors, who have lived in the riot of progressive interest and oppression and have paved the way for the best arguments of bad men against the Government of Great Britain. The importance of making cautious selection for the office of Attorney General. 297.

June 17, Quebec. Same to same (No. 34). Calls attention to the studied delay in the Legislature respecting the Judicature Bill. It should be returned as soon as possible with an order to have it put it in force. Recommends the removal of the Sheriff of Montreal on account of the rescue of prisoners there. The residence of the Lieut.-Governor, Chief Justice and Solicitor General at Montreal is of great moment. The injury caused by the absence of the head of the Indian Department. Remarks on the resignation of Caldwell from the militia. The absorption of specie by the peasants; the necessity of sending out £50,000 in silver with the troops. The conduct of Grant and Panet in opposing the judicature and alien bills. The latter, however, was afraid to carry his opposition too far and voted for the alien bill. 301

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June 17, Quebec.

Monk to Dundas. Describes at length the state of disaffection in the Province, and that the Canadians generally will not take up arms to resist any foreign enemy. The state of feeling is such that it not merely leads to the taking up of arms to be turned against Government, but that the officers of Government and loyal subjects were marked to be killed when the French arrived, and Dumontier advised that the prisons should be forced and the English and pensioners of Government massacred. Nor was he alone in such advice. The blamable conduct of a magistrate and the sheriff. The necessity for strong judicial pov s in the district of Montreal, and of a strong police. The efforts of a y in the United States to force the Federal Government to a war with reat Britain and an attack on the Province have no doubt been communicated to the Ministry. Sends documents respecting the rescue at Montreal. Page 304

Extract of letter from Beckwith. The lodges of Free Masons have been established in Vermont as a pretext for keeping up a correspondence with Montreal. 308

Report by the Sheriff (E. W. Gray) on the discharge of Leveillé, under sentence to be pilloried. 309

Judgment against Leveillé for cheating, sentenced to the pillory. 313

Report by J. Reid, Clerk of the Peace, of the sentence on Leveillé; the riot to rescue. The arrest of persons guilty of the riot and their admission to bail by the magistrates, &c. 314

Deposition of Alexis Monjeon against Dumontier. 317

The same by Richard Corbin. 320

July 5, Quebec.

Monk to Dundas. The good effect of a loyal association in Nova Scotia, during the rebellion of 1775. Similar associations are now forming in Lower Canada, with the best appearance of producing considerable effects. Sends a copy of the terms of the association. The great benefit produced by the alien act. The States of New York and Vermont building forts. 324

The constitution of the Loyal Association, with the names of those signing. 326

The report of the meetings and other documents and additional names. 332 to 357

July 7, Miami Rapids

McKee to Chew. The Indians, about 2,000, took and killed 300 pack horses and about 60 drivers, near Fort Recovery. The horses had been brought the day before the Indians arrived, loaded with flour. The escort had not left the fort when the attack was made, they turned out but were repulsed and about 50 men and 25 or 30 troop horses killed. The Indians followed up and tried to storm the fort, but were repulsed with the loss of 17 men killed and as many wounded; after waiting that day and night they returned to the Glaize owing to want of provisions. All the Lake Indians, as well as those from Michilimakinak have come here from the Glaize. The latter will not remain as they have got plenty of scalps and prisoners; the Indians here will thus suffer a diminution of strength by the effect of this example on the other tribes. Cannot stop them or give supplies of aumunition; is afraid of the fate of the posts. Arrrangements should be made for provisions, &c., should the posts be considered of importance. 233

July 12, London.

Memorandum by Finlay to King, asking his help to get the Secretary of State to settle his claim for compensation so that he may be enabled to return to Canada in August, by the last ship for Quebec this year. His services acknowledged by Lord Dorchester giving him a grant of the St. Maurice forges, &c., which he does not desire to apply for, seeing the expenditure on them by the present lessees, Davison and Lees. The burdens laid on him as Chairman of Committees of the Council, owing to his knowledge of French; his constant employment in the land

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business since 1786, the magnitude of which is shown in the Journals of the Council, which would not be overpaid at £300 a year; he acted as interpreter to the Court of Appeal, afterwards writing out long judgments of the Court in French; he was Secretary of the Agricultural Society, whose proceedings he kept in English and French; was Clerk of the Crown in Chancery. Has received no remuneration for all these services. Prays that such recompense may be awarded as the Secretary of State may deem adequate, unless Lord Dorchester be thought the most competent Judge. Requests that, until his claims are settled, the Treasury would recommend the Postmaster General to suffer the demand of his department to lie over. Page 207

July 14, London. James Cuthbert, Jun., to Nepean. Encloses letter from Lord Balcarres testifying to his father's services. Prays that in respect to the reference of his father's claims to Lord Dorchester for consideration, His Lordship be instructed not only to decide but to draw for the sum awarded. 205

July 31, Quebec. Monk to Dundas (private). Leveillé sentenced to the pillory for cheating, has been re-captured but pardoned by the Governor at the instance of the justices. One of the principals in the riot has been arrested and is held for trial. The spread of loyal associations and their good effects; in spite of the efforts of secret emissaries from the States, loyal principles are gaining ground and the country prepared for resistance. The militia to be again summoned as a test of loyalty; the strength of the Executive increasing. Congratulations on recent successes of the fleets. No natives of France to be admitted to the Province without a passport; the many attempts to gain admission to the Province, have raised suspicions of the motives for these. Dorchester about to make a tour through part of the Province. 358

August 4, Montreal. Chew to Sir John Johnson. Sends extract of letter from McKee showing that the United States have erected a fort at Le Bœuf, 12 miles from Presqu' Isle. A spirited speech sent by the Six Nations to the President; they will likely join the Western Nations if the fort is not removed; the warm expressions of the Corn Planter. 232

August 6, Quebec. Monk to Dundas (private). Arrest of two brothers Dorion, charged with treasonable practices. 361

August 11, London. Finlay to King. Has read over the memorandum concerning the Crown Lands and added some remarks. Statement of the complaints made by petitioners for lands of the bad effects of the plan for reservations and that the fees not being fixed hindered settlement. The necessity of having the fees for land patents fixed. Presumes that Lord Dorchester had done so after he (Finlay) had left Quebec. The favour it would be were he (King) to get the Duke of Portland to ascertain what would be a reasonable recompense for his (Finlay's) services. Asks to be appointed Auditor for Canada, or deputy, should Cholmondeley's patent include that Province. Asks also to be made chairman of the Land Committee with the fees in the table, and to be a Commissioner for settling the boundaries between Canada and the United States. He will be unable to leave by New York; hopes that his affairs may be settled so that he can leave for Halifax in September. 211

Memoranda relative to Crown Lands. 215, 217, 219, 221

August 15, College of Arms. Isaac Heard to King. Sends the arms of the See of Quebec, with the account for fees amounting to £48 18 6. 229

August 21, Greenock. Captain Lawrence Gillespie to Dundas. Had delivered to the Post Office dispatches from the Governor General of Canada. Acknowledges his promotion with gratitude; bad health obliged him to leave the West

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Indies; on his arrival at New York he had, by request of Sir John Temple, proceeded to Quebec with dispatches for Dorchester. Page 227

September 15, Quebec. Bishop of Quebec to Dundas. Had completed the visitation of his diocese. Had passed up the river from Montreal to Kingston; crossed to Niagara; returning proceeded up the Bay of Quinté to Fredericksburg. Had held confirmation whereever there was a Minister. The flourishing state of the Upper Province; details. State of religion deplorable. From Montreal to Kingston there is not one church or place of worship, except one Lutheran chapel and one, perhaps two, Presbyterian. The instruction is limited to these small congregations, or to those reached by itinerating Methodists. A small church at Kingston. Along the Bay of Quinté, which is well settled, there is only one Minister; at Niagara a Minister, but no church. The earnest desire for religious instruction in the diocese. A church should be immediately built at Cornwall; another clergyman should be sent to the Bay of Quinté, Adolphustown is the proper place; one wanted at Detroit and one at York. The necessity for a proper salary, the necessaries of life being very dear in Upper Canada. For building churches, Simcoe has been promised a sum equal to that allowed for Nova Scotia. The importance of having ministers of the Church of England sent at once, so as to secure the population of Upper Canada, a measure no less desirable in a political than in a religious point of view, and by the erection of churches and establishment of ministers, the progress of settlement would be greatly accelerated, as sober, thinking men are unwilling to bring their families where they are deprived of the benefits of religious instruction. Hopes that in the minds of the members of Government the advantages will preponderate over the question of expense. Recommends Addison, minister at Niagara, for the same allowance as that given to others. In Lower Canada the Church of England is in a less degrading situation than that in which he found it on his arrival. The Swiss Ministers then officiating at Quebec and Montreal read English so imperfectly as to be unintelligible; the bad character of the minister at Three Rivers. His (the Bishop's) brother and the chaplain have performed the whole duty at Quebec; Mr. Toosey has arrived and takes that duty; Mr. Mountain is to be assistant at Three Rivers; Delisle is dead at Montreal; Tunstall succeeds him. There is a good clergyman at William Henry (Sorel). The necessity of having a proper church at Quebec. The disadvantages of being able to have service only by permission of the Roman Catholic Bishop, and that but once on a Sunday; has not yet made up his mind to any plan to have a church erected. Suggests good grammar schools, instead of the extensive system of education proposed by the Council. Should it be thought expedient to send clergymen and a schoolmaster to Upper Canada, the Bishop of Lincoln might be consulted in the appointments. Desires instructions respecting tithes. 385

September 19, Quebec. Monk to Nepean (No. 36.) At the Assizes in Montreal there have been seven convictions for treason; four or five cases of a more aggravated character remain over. An attempt was made to rise in arms and force the prison but speedy measures over awed the rebellious. The design went so far that couriers were riding through the country to excite the people to arms and to burn the houses of those who refused to join. The plot burst into open execution three days after the Court had risen and the Chief Justice and he (Monk) had left for Quebec. The effect of the pardon of Leveillé. Urges again the necessity for the Governor General and Solicitor General residing at Montreal. "What a dust the Indian speech, &c., &c., have made with you!" 362

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September 23, Twickenham. Sir John Johnson to King (?). Sends extracts of letters from Chew, the Secretary, and McKee, Agent, for Indian affairs. Page 231
(Extracts calendared at their repective dates).

October 4, Quebec. Bishop of Quebec to King. Urges the settlement of the question respecting salaries for the Commissaries. The detection of conspiracies which were forming will open the eyes of the people of England to the horrors that awaited them; the strength added to the administration will, he trusts, fix them with confidence in the existing Government. The retreat of Wayne has relieved immediate fears for Upper Canada and the result of Jay's mission seems to assure a permanent peace. 396

October 26, Quebec. DesJardins to King (in French). Has sent letters to his care; thanks for his kindness to the French ecclesiastics; asks for three passports for Mr. Delavan, canon of St. Martin of Tours, now in Baltimore; 2. M. Chicoisneau, priest of the Congregation of St. Sulpice; 3. Joseph Dupont, of Chanbar de Vergore, coming from the United States. Dorchester refuses to allow any one to enter Canada who is not furnished with a passport from the Secretary of State. He hopes for these, as he knows the persons and can vouch for their principles. 235

November 3, Quebec. Bishop of Quebec to King (?). Respecting the salaries of his Commissaries. Objects to the suggestion that Mr. Stuart's salary should be lower than Mr. Toosey's for reasons given. Mr. Stuart's services. The hardship to which both are subjected by the terms of their appointment. 236

November 3, Quebec. Same to same. Respecting the salaries to his commissaries (see p 236). 402

November 14, Whitehall. Portland to the Bishop of Quebec. Satisfaction at the completion of his first visitation. Shall recommend the addition this year of £500 (to be increased as required) to help in building such churches as may be necessary for Divine worship; trusting that the same may be rendered as effectual as possible by him (the Bishop) and by those in whose favour the grant is proposed. The determination of the application of the fund is to be left with him and Simcoe, but care must be taken that no expense is incurred outside of the treaty line. Is sorry that the dearness of the necessaries of life demands a larger income than would otherwise be required; but there can be no doubt that the act respecting rectories includes tithes, so that no additional grant is needed; trusts that a small salary from Government and an allowance from the Society for the Propagation of the Gospel would be sufficient for the comfortable maintenance of the incumbents. 398

November 18, Quebec. Monk to Dundas (private). Thanks for his promotion. Has sent, he trusts, his last official report to Dorchester; His Lordship's coldness has been severely felt and has induced him in these reports to dwell on his own services, so that they might be laid before His Majesty. The last report will show the contrast between peace and obedience and open sedition and disloyalty; it is a consolation to feel that these benefits were due to his exertion and care. The additional delay in respect to the judicature bill, owing to the King's assent not having been officially received. The importance ofselecting the new Attorney General. 407

November 20, Quebec. Bishop of Quebec to King. Calls attention to a mistake in his letter to Dundas, of 15th September, respecting the want of places of worship between Montreal and Kingston, as between Montreal and Point au Baudet (about 50 miles) he saw two Roman Catholic churches and was told there were six. The mistake arose from his speaking exclusively of Protestants. From Pointe au Baudet to Kingston, with the exception of a small body of Scotch Roman Catholics, who have no church, the inhabitants are universally Protestants, as they are on the Bay of Quinté. 404

1794. November 20, Quebec. Monk to Dundas. Capture of the August packet with dispatches. The delay in receiving the official assent to the judicature bill; believes the Secretary's letter sufficient to enable the Governor to declare the assent; the question to be submitted to the Council. Page 410

November 21, Quebec. Same to same. The Council considers the communication by the Secretary of State of the King's assent to the judicature bill to be sufficient. A proclamation has been ordered accordingly. 412

No date. Memorandum (secret and confidential) from Chief Justice Osgoode, warning against the proposal of Simcoe to place the flour contract in the hands of certain individuals (not named). Had he the contract, he could ensure the result of any proposition made in a House, where every man is a farmer. The proceeding is not fair. 406

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1794. May 11. Halifax. Wentworth to Dorchester. The advantage that would arise from the transfer of the Royal Fusiliers to Halifax. The removal could be effected by the frigates on the station, without the expense of transports. Page 92

May 12. Halifax. Duke of Kent to same. Has arrived; asks to be stationed at this post and to have his regiments, the Royal Fusiliers, removed to Nova Scotia, either as an addition or to be exchanged for the 4th regiment. Having been posted as a Major General on the Staff of the West Indies, is now the second in command in North America, since Clarke is absent. 90

June 7. Quebec. Dorchester to the Duke of Kent. It is perfectly regular that he should have the command in Nova Scotia. The refractory temper of the Canadians renders a considerable reinforcement necessary for the preservation of the Province; cannot, therefore, send the Royal Fusiliers, but will keep them at hand should a change permit them to be sent to Halifax. 93

June 7. Quebec. Same to Wentworth. The state of Canada renders it inexcusable to diminish the small number of troops. 94

June 22. Fredericton. Duke of Kent to Dorchester. Respecting the exchange of the Royal Fusiliers with the 4th Regiment, the latter of which is fully equal, if not superior, to the former. 95

July 9, Halifax. Same to same. Asks that if he is to remain here and his regiment to be exchanged for the 4th, Captain Vesey may be appointed Brigade Major and Lieutenant Smyth of the Royal Fusiliers, be Fort Major. 99

July 11. Quebec. Dorchester to Simcoe. Has heard nothing of French Emigrants at Albany, nor of the DesJardins who asked leave to purchase provisions in Upper Canada for a settlement on the Genesee; there has been something insidious in this application, as well as in Williamson's request. The violence of the latter; he was formerly a Captain in the 25th Regiment. Notwithstanding the speedy execution of the treaty in the Atlantic States, the United States refused to comply with it, when they believed its conditions to be contrary to their interests, so that for security it was necessary to suspend that part of it relative to the Indian Country and to the posts therein, retaining the King's preeminence there till the complete execution of the treaty by the United States, which have now advanced to take possession, and pretend to call the Indian Country their country and the privileges, granted on conditions they never performed, their undoubted rights, and the line designated in the treaty their acknowledged boundary. Their attempt to draw the King's officers into unguarded words and expressions which they may hold out as an acknowledgment of their claims and a justification of their conduct. In event of

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their persevering in forming establishments on any of the lakes or near the posts, an explanation is to be asked and a protest delivered, &c. His actions in case of war. Page 118

Form of protest. 121

July 19, Quebec. Dorchester to the Duke of Kent. The objection to the proposed exchange of the regiments from the time Nova Scotia would be deprived of the assistance of the 4th, is a matter that may be decided by the Duke's judgment. The Royal Fusiliers shall be ready on the arrival of the 4th. 98

July 24, Navy Hall. Simcoe to Dundas (No. 27). Proposal in cypher; believes such an arrangement would be of public benefit and saving. 1

July 24, Miami Rapids Information of John Voris, a prisoner, respecting affairs at Fort Washington, Fort Recovery, &c.; the names of the officers killed. The time of service of most of the troops nearly expired and they will not reengage owing to cruelty towards them. The state of the forts, their armament, &c. 15

July 26, Miami Rapids McKee to Simcoe. That the separation of the Indians has been prevented and messages have been sent by the chiefs of the several Nations to their villages for warriors. This means a large consumption of provisions which must be sent. Indians about the forts will interrupt Wayne's communications. Movements of Indians. Prisoners brought in. Recommends severe punishment on those selling rum to the Indians. Intrigues of French traders. Supplies for Indians not yet arrived. The long occupation by Great Britain of the posts on the Miami, as well as at the Miamis towns, being considered dependencies of Detroit. Arrival of various Indian tribes at the council. 11

July 28, Quebec. Dorchester to Duke of Kent. That the appointment of Brigade Major was, by His Majesty's orders, in the hands of the commander-in-chief, but Brigade and Fort Majors were, since these orders, directly appointed by the War Office. Is at a loss to know what authority is left with him in the matter. 100

(Extracts of orders from the War Office making these appointments follow.) 101

August 5, Navy Hall. Simcoe to Dundas (No. 29). Sends this by Captain Vandeleur, late of the garrison at the Miamis. The success of the Indians over a convoy; their attack on Fort Recovery and repulse; their return home leaving runners to call them together should Wayne advance. The chiefs have called on Col. England for assistance. The fort at the Miamis is in a complete state of repair. The United States troops have not established themselves at Presqu' Isle. The Corn Planter has summoned the warriors to assist in taking the women and children to a place of safety; there is every appearance of hostilities between them and the United States. The Onondagos have left Genesee; the Oneidas have been invited to rejoin the Confederacy. New York is establishing posts at Fort Stanwix, Fort Brewerton and Oswego Falls, and means to erect a post to cover the Onondago Salt Works. The inhabitants of the Genesee Country are leaving, no new settlers arriving; many have emigrated to this Province. It is apparent that to the westward, the Indians cannot maintain their country against the chain of garrisons, or prevent Wayne's advance without assistance, this must extend to the demolition of Fort Recovery, if possible of Fort Jefferson, or the entrenched camp at Grenville. The arrangements necessary to cover Upper Canada. There should be no difficulty in supplying the Province with a large reinforcement of seamen and land forces. Has done all in his power to forward the construction of gun boats. 7

August 10, Navy Hall. Same to Dorchester. That Lieut. Sheaffe and another officer had been sent to Sodus to make a protest against that and other establishments.

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Understands that Desjardins is age[illegible] r a French Company in Paris. Had already sent his views on defence. Enters into details. Page 122

August 15, 16, Halifax. Correspondence between the Duke of Kent and Wentworth, respecting the relief by the Nova Scotian regiment of the 4th regiment now in Newfoundland. 106 to 110

August 18, Halifax. Duke of Kent to Dorchester. How he proposes to have the exchange made between the 4th and the Royal Fusiliers, without the expense of transports. Others of the Fusiliers may be transferred from Quebec to Halifax on the arrival of the troops now on the island of St. Pierre. Sends correspondence with Wentworth to show that he had acted with propriety in sending a detachment of the Nova Scotian regiment to Newfoundland, to relieve a detachment of the 4th. Further respecting the offices of Brigade Major and Fort Major. 102

August 21, Fort Miami. Major Campbell to Lt. Col. England. Had sent a letter to be forwarded by McKee. Engagement between the Americans and Indians; the latter beaten and had retired below the post. Sends his correspondence with Wayne respecting his force having taken post almost within reach of the guns of the fort. Wayne's pretentious answer; shall observe caution, but if the fort is insulted it shall not be with impunity. Hopes for reinforcements. Is glad the battle ended yesterday without bringing him into a scrape. His situation an extraordinary one; hundreds of American cavalry skirting the woods all round, and a number of their officers looking at the post from the end of McKee's island. Sends information by a deserter. Drummer Bevan deserted this morning. 22

August 22, Fort Miami. Same to same. Sends duplicates of previous letter and enclosures. Hopes his conduct has been approved of; his delicate situation; the consequences of hasty conduct might be very serious. The garrison have their arms loaded and sleep on alarm posts. Deserters report Wayne to be very short of provisions. Although Wayne's summoning the fort leads to expectation of an attack, yet does not think he will be so rash; precautions taken against surprise; only heavy guns can endanger the post. Looks for a reinforcement, but hopes to be able to do without it. An army of between 3,000 and 4,000 men against a small fort, unsupported by any other, is a serious consideration. Cannot tell what has become of the Indians since the battle. What Wayne's people mean by burning the Indian huts and the hay on McKee's island he cannot say. Wayne's insolent conduct in reconnoitering the fort; he will never do it again with impunity. Hopes to see a reinforcement soon. 25

(*Enclosed.* Correspondence between Campbell and Wayne.)

(1). Campbell to Wayne, 21st August. Desires to be informed of the light in which he is to view the fact of an army of the United States having taken post almost within reach of the guns of the fort at the Miamis. 28

(2). Wayne to Campbell, same date. That the most satisfactory answer was announced by the muzzles of his small arms in the action against the Indians in the vicinity of the post; had the Indians been driven under the influence of the post and guns these would not have much impeded the progress of his victorious army. No such post was established at the beginning of the war between the Indians and United States. 30

(3). Campbell to Wayne, 22nd August. Although authorised by his (Wayne's) letter of yesterday to proceed to acts of hostility, yet anxious to prevent that dreadful decision, he had foreborne to resent the insult to the flag, of his (Wayne's) men approaching within pistol shot, not only singly but in numbers, with arms in their hands. Should the approach to the fort be continued in the same threatening manner, he would be obliged to have recourse to measures, which thousands of either nation

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may have cause to regret and which he appeals to God he has done his utmost to avert. Page 32

(4). Wayne to Campbell, same date. Agrees that there is no war between the countries unless it be by the present act of hostility by taking post within the limits of the United States. Demands that he withdraw the troops, artillery and stores to the nearest post occupied by His Britannic Majesty's troops at the peace of 1783, which he would be permitted to do unmolested. 34

(5). Campbell to Wayne. The question of the posts must be left to the ambassadors of the different Nations; his duties are military. Will not abandon his post till he receives orders from those he serves under. Warns him that his army must not approach within reach of the cannon, without expecting the consequence. Although his situation is totally military, yet he must add that he is much deceived if the King had not a post on this river at, and prior to, the period mentioned. 36

August 27, Montreal. Dorchester to Simcoe. There is no war yet; measures must be defensive. Nothing can more clearly show the wishes of the King's ministers for peace than the defenceless state of the Provinces, whilst the conduct of the United States indicates a disposition as hostile as that of Great Britain is pacific. State of the artillery and ordnance stores; such supplies shall be sent as may be needed. The propriety of placing all he has to the best advantage, so as to save the expense of transport. 129

August 30, Navy Hall. Simcoe to Dundas (No. 34). Wayne who had summoned the Fort at the Miamis has retreated; he has probably for the time laid aside the design of taking possession of that station. After the loss of the Indians at Fort Recovery, Wayne with a reinforcement of 1500 men from Kentucky, advanced rapidly and established at the Glaize a post, fortified with four block houses. On the 20th August, he approached within two miles of the post of the Miamis (See plan p 63 A.) and was attacked by the Indians repeatedly, but having exhausted their reserves they were out flanked and gave way. Their numbers, at the utmost, were 900, those of their opponents between 3,000 and 4,000; several of the chiefs killed; Wayne lost 114 killed and 130 wounded. Sends correspondence between Major Campbell and Wayne, whom the Indians are pursuing; his want of provisions. Speaks in high terms of Campbell's conduct. The sickness of the garrison had been universal, so that it was by almost dismantling Detroit that Col. England could place the Miamis in a state of defence. Had reinforced Turtle Island; shall not discontinue preparations. It was fortunate that he had proceeded at once to fortify the Miamis, as otherwise the post would have been in no state for defence. Williamson, on the day that Wayne retreated, told Lieutenant Sheaffe that the post had surrendered to General Scott, that the troops had laid down their arms and marched out with one day's provisions. Congratulations on Howe's victory. Trusts that seamen will now be sent to the Lakes. Sends extract from a New York paper. 18

Extract referred to, signed "A Citizen of Vermont," stating the claims of Vermont to lands along Lake Champlain. 3

August 30, Detroit. Col. England to Simcoe. Since transmitting copies of the correspondence between Campbell and Wayne, he had received news on the 25th, subsequently confirmed, of Wayne's retreat; it is reported he will establish himself at the Glaize, where he expects provisions; his movements will soon be known, but not through the Indians, not one of whom has pursued him. Cannot understand this unexpected retreat. The Indians have forfeited every pretension to a warlike or gallant character; their flight and panic. Campbell sent off an express to McKee to acquaint him with Wayne's retreat, but the Indians regarded that with as much in-

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difference as they did his approach. Should he stop at the Glaize, it is natural to suppose he will be heard from, and Campbell has orders not to relax in his endeavours to complete his fort. Its respectable appearance probably saved it from the attack which Wayne proposed to make, but was dissuaded from by his officers. Will dismiss the militia from the River Thames, who have behaved well; mutinous conduct of the Canadian militia; a ringleader tried but acquitted by the jury, although there was sufficient evidence to convict. The detachment of Royal Artillery and the 24th much reduced by the fever that has prevailed all summer at the Miamis; of the 24th six are dead and the surgeon reports that many more will die in the course of the week; 120 are now on the sick list; is afraid they will not be fit for duty this Fall and be very unequal to garrison Fort Miamis. Wayne was to be at the Glaize on the 26th. Expresses to be kept going till tranquillity shall return. Page 39

September 5, Navy Hall. Simcoe to Dundas (No. 35). Sends copy of letter from Col. England. Has not moved, the season being sickly. Understands, besides the reasons given by Lt.-Colonel England for Wayne's retreat, that the President has issued a proclamation against the insurgents near Pittsburg, who although avowedly assembled against the excise laws, are certainly opposed to the existence of the Federal Government and its measures. Sends duplicate of letter to Dorchester respecting defences. 38

September 5. Navy Hall. Same to Dorchester. Report on the defences of the St. Lawrence. 43

September 8, Quebec. Dorchester to Dundas (No. 53). Returns showing the little progress made in augmenting the forces in Canada. 50

Returns. 50A. 51 to 54

September 12, Niagara. Simcoe to Dundas (private). Represents the serious injury to the service by McKee going to Quebec in obedience to Dorchester's orders. He, as civil governor or commanding the King's troops, should be the means of communication between the Commander-in-chief and the Indian and other departments. 55

September 12, Navy Hall. Same to same (No. 37). His satisfaction that Dorchester had received instructions to raise two provincial battalions, which might allow him to occupy the site fixed on for London. Had submitted the propriety of raising four independent companies to connect the French and English interest, and had named the officers; 300 men might be raised at Glengarry under their own officers. The insufficiency of the bounty to attract settlers to leave their homes. The British troops offer more for vagrants. Should war be declared, he shall raise troops where he can find them, offering the same bounty as that offered by the King's forces. The injurious effect during the late war of not granting American rank and half pay to the provincial corps will be felt now. His desire to give no occasion to justify those whose views are to involve Great Britain in war. 57

September 13, Quebec. Dorchester to same (No. 54). Sends summary of reports from the Miamis (See Simcoe's letter of 30th August (No. 34, p. 18) and enclosures). 60

September 15, Quebec. Same to same (No. 55). Letter of 5th July received; to prevent mistakes shall forward to Simcoe such parts as relate to Upper Canada and copy of enclosures. 62

September 17, Quebec. Same to Hammond. Sending a formal statement of facts relative to aggressions, to meet the answer of Secretary Randolph. The obscurity caused by new names being given to places by the Vermontese. The pretentions that British jurisdiction is confined to the walls of the post, or at most extending no further than the guns will carry; the effect of this on the pursuit of deserters. 65

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September 17, Quebec. Report by Monk, Attorney General, and Sewell, Solicitor General, respecting aggressions on the posts on Lake Champlain. Page 67
Documents attached to the report as evidence of encroachments. 72 to 88

September 20, Quebec. Dorchester to Dundas (No. 57). Sends sketch showing the position of the Indians and of the forces under Wayne, in the engagement of the 20th August. 63
Sketch. 63*a*

September 20, Quebec. Dorchester to Dundas (No. 58). Encloses copy of letters and documents sent to Hammond relative to aggressions near Pointe au Fer and Dutchman's Point. 64
(The enclosures calendared at their repective dates.)

September 24, Quebec. Dorchester to the Duke of Kent. That the condition on which the six companies were raised in Nova Scotia was that they should serve only in the Province; if any have been sent to St. John's, Newfoundland, they are to be recalled. That he has no power to appoint to the offices of Brigade and Fort Major any more than an adjutant who distributes orders. Submits how far the policy of taking all power from a Commander-in-chief 3,000 miles distant, will ensure obedience at anytime; during the present political influenza, it is very extraordinary. That a hint from His Royal Highness would secure the appointments; it is for him to submit to the good pleasure of the gentlemen who have the arrangement of public affairs. 111

September 24, Quebec. Same to Wentworth. The regiment of Nova Scotia was raised to serve only in that Province, except two additional companies which might be ordered to serve in any of the neighbouring Provinces. A servant of the Crown may lessen but cannot extend the servitude. It is of consequence to prevent Government from being reproached with cajoling the people, or of failing in the smallest degree in its good faith towards them. 113

October 1, Quebec. Same to Dundas (No. 60). Sends correspondence with Prince Edward (Duke of Kent) relative to his taking command in Nova Scotia, and between him and Lieut.-Governor Wentworth, relative to sending a detachment of Royal Nova Scotian volunteers to Newfoundland. Refers the latter point for decision, the Lieut.-Governor differing in opinion from him (Dorchester). The rest of the correspondence relates to the appointment of Brigade and Fort Majors. 89

October 1, Quebec. Same to same (No. 61). Had given reasons why his retiring would be for the benefit of the King's service. Finds by his (Dundas's) last dispatch, that he may have to leave sooner than he expected; is, therefore, preparing everything for Simcoe, be it peace or be it war. Sends Simcoe's plans for the war in Upper Canada, should peace not take place, as it would no doubt afford him satisfaction to have his plans approved of by him (Dundas) as he (Dorchester) does not understand their scope. Hopes that the command in these Provinces may be given to a man of abilities superior to his. 116

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January 27, Quebec. Dorchester to Simcoe (No. 3). Thanks for information; regrets the failure to conciliate matters between the Indians and United States. Remarks on the lands on Grand River promised to the Indians; necessity of restrictions to prevent them from getting into the hands of land jobbers; if they must be sold Government should repurchase. It is desirable

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that Government should have all the lands along the Lakes, the want of which will interrupt the communication with the settlements, but this should not be pres ed, if disagreeable to the Indians; the Superintendent General should be present at all negotiations. A plan has been found of a purchase of the Matchedash Lands (a copy of which was sent) with a blank deed, with the names of the chiefs, the deed on a separate piece of paper attached. It is of no validity and must be set aside; any land wanted must be purchased anew. Page 142

May, 24. Quebec. Dorchester to Dundas (No. 26). After the judicature bill had passed the Assembly and the militia bill was so far advanced as to leave no difficulty, an alien bill was brought in by DeBonne. Orders issued for 2,000 militia to hold themselves in readness; the violence of the people in the States and the influence of French intrigues made this the more necessary. The British in Quebec and Montreal came forward with great alacrity, but a different disposition generally prevailed among the Canadians, both in the town and country parishes, with very few exceptions. Is inclined to attribute this to a long disuse of military service, rather than to disloyalty, and they say although Government is gentle they are oppressed by the expenses of the law, and not protected against the seigniors as they formerly were by the French Intendant and Attorney General. The confederacy of the Western Indians may check in some degree the hostile spirit of the United States, but it is not to be supposed they will overlook the advantage from the refractory spirit of the Canadians. 2

May 25. Quebec. Same to same (No. 27). It is an unfortunate moment to propose raising two battalions or even to speak of it, such is the temper of the Canadians. It would at any time be impracticable to complete one battalion of Canadians except by draughts from the sedentary militia; they believe that if formed for service, they would thereby become soldiers for life; nothing is too absurd for them to believe; the first day they were called out to furnish their proportion to the two thousand to be in readiness to march, they broke into a mob and refused to be ballotted for. Two are in prison for the riot. The country parishes threaten to rescue them; some examples must be made. Reports enclosed. The Bishop has sent *Mandamus* for his being styled Lord Bishop of Upper and Lower Canada and a Legislative Councillor of both Provinces. This will awaken jealousy on the part of the Canadians. Their superiority in numbers; the British proportion of militia is only 70 out of 2,000, which will not escape observation. 5

Report by the Attorney General on the state of political feeling with depositions. 8 to 36

July 19. Quebec. Craigie to Dorchester. Enters into details as to the arrangements he had made since 1786, for procuring flour for the posts in Upper Canada. 226

Letters on the subject referred to in the foregoing dated 15th August, (p. 234), and 3rd September, 1786 (p. 237), 2nd August (p. 241) and 27th October (p. 246), 1792. 234, 237, 241, 246

August 12. Montreal. Affidavit by William Fortune, Deputy Provincial Surveyor, of the cause of the excess of provisions on the survey of six ownships on the Rideau. 135

August 23. Miamis. Major Buell (U. S. Army). General order by Wayne respecting the action of the 20th August, stating that it was a brilliant success, over the Indians, the militia from Detroit, and the garrison at the fort. The effect of the victory in the face of a well garrisoned and well armed fort, which had remained tacit during the general conflagration, &c., &c. Thanks to the troops and a militiary funeral ordered for the officers killed in action. 110

1794. August 27, Near Fort Miami. McKee to Chew. Account of the action between Wayne and the Indians on the 20th August. The account gives the details. Loss of the Indians, 19 including eight principal chiefs of the Wyandots and two of the Ottawas. The Americans lost between 300 and 400 killed and wounded and a great many horses. Page 106

(In Dorchester's letter of 1st January, 1795, No. 15).

September 4, Newark. Report of the survey by Mr. Jones, of Lake Simcoe, and of the River La Tranche or Thames, sent by Chewett on account of the illness of Jones. 137

September 9, Navy Hall. Simcoe to Dorchester. Dissatisfaction of the Indians respecting the selection of lands purchased. Asks for the original deeds of these purchases. If Sir John has returned from Europe, asks that he be sent to settle the disputes. 134

September 22, Quebec. Dorchester to Simcoe. Owing to the absence of Sir John Johnson and the deranged state of the Indian Department in both Upper and Lower Canada, proposes to give McKee the superintendence and desires that he shall be sent to head-quarters that a consultation may be held so as to arrange to remedy the disorders in the department. Refers him (Simcoe) to his (Dorchester's) letter of the 27th January, for his opinion of the validity and value of the blank deed for the lands about Matchedash Bay. Sends extract from a note of Sir William Johnson's respecting the treaty at Fort Stanwix of 1768; the paper was forwarded to him (Simcoe) by Chew in 1793, and is now to be sent to McKee. 139

October 11, 12 and 14. Brownstown. Proceedings of a council of Indians held at Brownstown with Simcoe. 210

(In Dorchester's No. 19 of 31st January, 1795).

October 11 to November 4. Dorchester to Portland. Letters (1 to 4) marked missing in this volume, are in Q. 69 pp 122, 127, 128, 170.

October 20, Quebec. Same to Simcoe. The fears of the Commissary General that his department may be thrown into disorder by the appointment of McGill to purchase provisions for the troops in Upper Canada. Sends Treasury order for his consideration. Craigie's uneasiness at the reports by McGill being sent unaccompanied by his (Craigie's) plans for procuring flour in Upper Canada; the saving to be effected thereby. 221

The general order referred to, desiring the commissaries to obey McGill's instructions, dated 11th September. 225

(Both in Dorchester's No. 19 of 31st January, 1795.)

October 24, Navy Hall. Simcoe to Dorchester. Sends copy of reply to the Indian speech. The speech of the Indians was to require positive assistance from the British and Six Nations, and that they were ready to accompany an immediate attack on the forts. Brant advised that they desire him (Simcoe) to communicate their wishes to His Lordship. 109

October 25, 26. Report by William Johnson, interpreter for the Indian Department, of the council at Buffalo Creek, with speeches by Pickering and the chiefs. 113

October 30, Navy Hall. Simcoe to Dorchester (extract). "I cannot yet give up the hope that "a termination of the differences between the Indians and United States "may be effected under His Majesty's auspices." 127

November 7, Quebec. Dorchester to Portland (No. 5). Has received dispatches. A copy of that of 13th August has been forwarded to Simcoe for his guidance. 41

November 7, Detroit. Montigné to LeMaistre (extract). Given literally "Les chefs qui de-"voient aller le printemps dernier aux Illinois demander des terres aux "Lacs et aux Renards près des Missouris, sont partis dernièrement "avec les mêmes intentions; toutes les autres nations leurs ont donné "des colliers, de sorte que s'il n'y a rien au printemps de favorable pour "eux ils décamperonts de ces côtés là."

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(The chiefs who were to go to the Illinois last spring to ask lands from the Lake and Fox Indians near the Missouri, left lately with the same intention; all the other nations gave them belts, so that if there be nothing favourable for them in spring, they will move off from this neighbourhood). Page 131

November 8, Quebec. Dorchester to Portland (No. 6). Sends copy of report of inspection held on Indian stores received by the "Augustus." 42

Report. 43

November 10, Navy Hall. Simcoe to Dorchester. Sends papers on the affairs of the Six Nations. Johnson (interpreter) went by request of the Indians to their council, but Pickering would not admit of his presence. It is supposed that Pickering will propose to purchase all the Indian lands on Lake Erie from Buffalo Creek to Sandusky, but it is not likely the Indians will consent to this. O'Beal and the Farmer's Brother will insist on the old boundary line. Proposes to go to the lower parts of the Province to pass the winter. Has appointed a meeting with the Matchedash Indians to arrange for the purchase of the harbour of Penetanguishene or Gloucester. Presumes the United States army under Lee will meet with no opposition from the insurgents and that a strong army will be posted at Pittsburg under pretext of enforcing the measures of Government on these people, but in reality to overawe the Indians. 128

November 19, Quebec. Dorchester to Portland (No. 7). Deficiencies in the Indian stores at Niagara and frauds and depredations detected at Lachine. The precautions to be taken. McKee's public duties have prevented him from coming to Quebec, to concert measures to stop all irregularities, which seem to abound in Upper and Lower Canada. The rest of the goods arrived and forwarded to Montreal in the "Bridget" which has been obliged to return; the goods will be stored for the winter. A numerous assemblage of Indians expected at Detroit next spring to come to some determination respecting their affairs; an additional supply of goods is, therefore, necessary. Requisition sent as also a plan for packing and shipping presents for the Indians. 45

Requisition. 47

Plan for packing. 48

November 20, Quebec. Dorchester to Portland (No. 8). Sends commission appointing Tunstall to the living of Montreal; to his request as to tithes he was answered that the King's allowance to him of £200 a year was in full of any such demand, in which he acquiesced, although he held that his commission gave him the right to tithes. As every one may not have equal moderation, suggests that all expressions which seem to convey powers that are not to be exercised should be omitted in the commissions. 50

November 20, Quebec. Presentation to Rev. Mr. Tunstall of the parish of Montreal, addressed to the bishop to admit him as successor to the late Mr. Delisle. 52

Dorchester to Portland (No. 9). Sends report (No. 7) of the Attorney General, containing an account of the criminal prosecutions at the last term of King's Bench. 55

Report (No. 7) by Monk, Attorney General. 56

List of the indictments with short notes of the cases. 62

November 20, Quebec. Dorchester to Portland (No. 10). Mackenzie (afterwards Sir Alexander) has sent a short narrative of two expeditions he had made across this continent. The importance of the fur trade renders it of consequence for His Majesty's ministers to be more fully informed respecting the discoveries. As Mackenzie is going to England recommends him to notice. 70

Short narative of Mackenzie's discoveries. The account of the first journey begins on the same date as that in the published work, of the second journey on the 9th May, 1793, the account of his leaving the

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Downs on the 7th April, 1792, and his spending the winter of that year in the North-West, being given in this account in a short paragraph of a few lines. In the published volume, the account of the second journey begins on the 10th of October, 1792, his proceedings till May being given in two chapters. Page 71

November 22, Quebec. Dorchester to Portland (No. 11). Capture by a French frigate of the "Antelope" with originals of the dispatch stating that the King had assented to the judicature bill and with *mandamus* to appoint Monk Chief Justice at Montreal. Had laid the duplicates before the Council and with its concurrence he would issue a proclamation giving the judicature bill the force of law and would direct a commission to be prepared for Monk, appointing him Chief Justice. 75

December 6, Quebec. Same to same (No. 12). Sends minutes on State business from 21st October to 29th November. 76

Minutes, 31st October. Report on a diagram for an inland township. 77

Xavier de Lanaudiere takes the oath of office. 79

Minutes, 21st November. Correspondence and proceedings respecting the Judicature bill. 80

Minutes, 29th November. Monk takes the oaths as councillor and judge in the Court of Appeal. 83

Draughts of proclamation putting the judicature bill in force, and of a commission to Monk as Chief Justice of Montreal. 84

Application of de Bonne to be appointed one of the resident judges of Quebec. 84

Correspondence respecting the Surveyor General's office. 85

1795. January 1, Quebec. Dorchester to Portland (No. 13). Report of survey on Indian stores by the "Bridget." 96

Report of survey. 97

January 1, Quebec. Dorchester to Portland (No. 14), The instrument appointing P. Amable de Bonne, John Lees, A. J. Duchesnay, and John Young, to the Executive Council has not arrived. They have, however, been summoned but are not to sit on appeals till His Majesty's pleasure be more fully known. Opinion of the law officers as to the mode in which the Bishop of Quebec and Chief Justices Osgoode and Monk should be summoned. As any change might raise doubt concerning the previous method, has thought it best to adhere to it until the meeting in 1796, when all the members of the Upper House might be called by the form judged most advisable. On passing the judicature bill new commissions had to issue making the judges stationary. Both Canadian judges were averse to going to Montreal and on Panet being selected, he declined the appointment. 98

Form of writ of summons to the members of the Legislative Council issued by Clarke. 100

The same by Dorchester. 102

January 1, Quebec. Dorchester to Portland (No. 15). The loss of the Indians in the action of 20th August, did not exceed 19, considerably less than at first reported. At a council at the Wyandot village on the 13th October, the Western Indians made a positive demand for assistance from the British and Six Nations. Brant has recommended them to assemble in arms in spring at the Huron village to come to a decision. Their villages and cornfields having been destroyed, they are preparing to hunt on the Swan Creek on the Miamis. The violence of Wayne and Pickering, on the 20th August and 26th October, does not indicate a disposition in the United States to allow their differences with the Indians to be terminated under His Majesty's auspices. The force at Pittsburg, under the pretext of supporting their Government against the insurgents in the western counties, seems intended to overawe the Indians and to act against

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Upper Canada by Presqu'Isle. The Western Indians are reported to have asked those on the Mississippi and Missouri to let them retire on their lands. Page 104

January 1, Quebec. Dorchester to Portland (No. 16). Besides irregularities already reported, the Chippewas and Missisaugas are dissatisfied and committed depredations on persons who have taken possession of lands claimed by them. Believes these will be settled by McKee, who has been instructed to attend to purchases in a proper manner. The salary of the late Colonel Guy Johnson has been appropriated to McKee. 132

January 1, Quebec. Same to same (No. 17). Sends Council minutes from 30th November to 6th December. 145

Minutes, 6th December. Report of the draught of proclamation declaring His Majesty's assent to the judicature bill. 146

Proclamation. 147

January 31, Quebec. Dorchester to Portland (No. 18). Sends Council minutes on State business from 7th December, and on Crown lands from 31st October, both to the 17th instant. 151

Minutes of State, 29th December. The appointment of de Bonne, John Lees, A. J. Duchesnay and John Young to the Executive Council. 152

Letter from Caldwell, Receiver General, respecting *Quint and Lods et Ventes* due to the Crown, 153 and answer 156. 153, 156

Report on Public Accounts, with proceedings, details and statements. 158

Minutes, 30th December. Illness of René Chartré, a prisoner for treason; ordered to be admitted to bail. 181

Minutes, 10th January. A. Juchereau Duchesnay and John Young take the oaths of office. 182

Further respecting the admission to bail of Chartré. Other prisoners also to be admitted on certain conditions. 183

Committee to investigate the state of the gaol. 186

Petition from inhabitants of Riviére aux Glaises at the bottom of the fief Gatineaux, in the district of Three Rivers, to be reunited to the parish of Pointe du Lac, referred to a committee. 186

Minutes, 17th January. Report of the committee on the state of the gaol. 187

Further report concerning the public accounts with proceedings. 191

Minutes on Crown Lands, 29th December, 1794, and 10th and 17th January, 1795. Reports, &c., referred to committees. 197 to 199

Report recommending the completion of the survey of the St. Lawrence. 200

Advertisement ordered respecting the survey of townships which have been granted. 201

January 31, Quebec. Dorchester to Portland (No. 19). Has sent copies of documents relating to Indian affairs, which are enumerated. Desires an authoritative decision as to the person with whom has been lodged the chief military command. 205

Schedule of enclosures of various dates, at which they have been calendared. 207

February 24, Whitehall. Portland to Dorchester (No. 10). Asks him to use his influence with the Council and Legislature to pass an act prohibiting the export of wheat and flour to any other country than Great Britain and the rest of His Majesty's Dominions, as there is far from a superfluity of grain in Great Britain at this crisis of affairs. 37

February 28, Whitehall. Same to same (No. 11). That the suggested prohibition of the export of wheat and flour in No. 10, should extend to pease. 39

March 31, Whitehall. Same to same (No. 12) He is to take into consideration an address from the Legislature of Nova Scotia, praying that the produce of the

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West Indies may be admitted free to that Province, by which means a closer commercial intercourse would be promoted between it and Canada. Page 89

April 6, Whitehall. Portland to Dorchester (No. 13). Has sent report on Indian stores to the Lords of the Treasury, with a recommendation to comply with his (Dorchester's) desire for additional stores for presents for the Indians. Has no doubt His Lordship will be able to place the Indian Department in such a position as to check the pillage which has been committed. Approves of legal prosecution of the persons detected in this offence. On the question of tithes to Anglican Rectors refers to letter from Dundas, of 16th September, 1791, extract from which is enclosed. To make the Crown and Clergy Reserves productive, recommends the formation of a Committee of the Executive Council for their management. The value of these lands will, of course, increase as adjoining lots become cultivated. Asks him to consult with the law officers, &c., and report. The last report of the Attorney General is satisfactory; those guilty of perjury, as reported, should be prosecuted. McKenzie's expeditions not only interesting but important; thanks for the information respecting them. His decision to pass the judicature bill approved of. Colonel Danseville is, at the request of Prince Edward, to be allowed to remain on parole in Lower Canada, unless local circumstances make that measure detrimental to the service. 91

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1793. Continuation of the correspondence with Craigie relative to the Commissariat in Upper Canada:—6th May (p. 249), 27th May (p. 250), 19th July (p. 251). 22nd August (p. 253); account of flour received in Upper Canada, 20th August (p. 255); 3rd September (p. 256); all in 1793. Pages 249, 250, 251, 253, 255, 256

And 8th January, 1795. 265

(The whole correspondence in Dorchester's No. 19 of 31st January, 1795.)

1794. December 26. Quebec. Dorchester to McKee. His satisfaction with him (McKee). Has appointed him Deputy Superintendent of Indian affairs to take charge of the department in the absence of the Superintendent General. Transmits him instructions of 1787 and 1790 and the further instructions issued. The Missisauga purchase; complaints of the Caughnawagas to be settled; to investigate the circumstances of the defalcation at Niagara. How accounts are to be trasmitted. 294

The additional instructions. 297

1795. (In Dorchester's No. 19 of 31st January, 1795).

January 21, Quebec. Dorchester to Simcoe. Regulations for the purchase of flour and the supply of other provisions. 261

Distribution referred to. 263

Form of transferable certificate for flour received. 264

January 21, Quebec. General orders as to the method of purchasing commissariat stores, so that a proper check may be maintained. 271

Extracts from orders respecting purchases, payments, issues of rations, &c. of various dates. 273 to 291

January 21, Quebec. Dorchester to Simcoe. Orders for McKee to go to Montreal repeated; he is to explain his delay. The Caughnawagas complain that their lands from Pointe au Baudet are not paid for; McKee to investigate and settle. In the absence of the Superintendent General only the deputy is to be

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employed in purchasing Indian lands. If he (Simcoe) cannot attend at the purchase, he is to appoint two men on the part of Government. Has heard nothing further of the defalcation of Indian goods at Niagara; supposes McKee will explain. Page 292

January 31, Quebec. Dorchester to Portland (No. 20). Sends state of the forces. Clothing for the Canadian battalion. Sends requisition for clothing and accoutrements should it be decided to embody a part of the militia in spring. 302

General state of the forces in North America. 304

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January 31, Quebec. Dorchester to Portland (No. 21). Sends Naval Officer's returns of vessels entered and cleared at Quebec. 307

February 20, Quebec. Same to same (No. 22). The necessity of welding together the different Provinces, so as to bring out their strength. The revival of the system which caused the rebellion and dismemberment of the Empire. The policy now seems to be to divide and subdivide and to form independent governments, instead of consolidating as is done in the United States. All power is withdrawn from the Governor General and communications and directions sent to inferior officers, so that the intermediate authority is virtually superseded; the effect of this is to overturn all authority. Every thing is favourable to insubordination and the fruits of it may be expected at an early season. 313

February 20, Quebec. Same to same (No. 23). Sends minutes of Council from 18th January to 14th February. 318

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Minutes, 14th February. Report on the provincial revenues and civil expenditures for 1794, journal of proceedings and details. 331

Estimate of expenditure for 1795, and message to the Council and Assembly, relative to the revenues and expenditure. 359

March 19, Quebec. Dorchester to Grenville. Desires to have the question cleared up, whether the Superintendent of Indian Affairs is to be subject to the Commander-in-Chief in Quebec. 453

An extract, dated 16th September, 1791, from Grenville, contains the decision that the Superintendent of Indian Affairs is to be subject to the command of the Governor of the Province in which his residence may be necessary. 454

Sir John Johnson's commission of the same date follows. 455

March 28, Quebec. Dorchester to Portland (No. 24). Sends enclosures respecting the steps taken in the Legislature to raise supply for the expenses of Government in the Province. 369

Enclosures—A. Speech to both Houses, 13th November, 1793. 374

B. Message to both Houses, 29th April, 1794. 376

C. Speech to both Houses, 5th January, 1795. 380

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3. Account of cash received for fines from 6th January, 1794, to 5th January, 1795. 387

4. Account of cash received for duties on wines from 6th January, 1794, to 5th January, 1795. 388

5. Account of the net revenues of the same, from 6th January, 1794, to 5th January, 1795. 351

6. Abstract of warrants for civil expenditure. 389

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7. Statement of receipts for wine duties, to defray contingent expenses of the Legislature. Page 400

8. Estimate of one year's expenditure for civil government. 401

9. Amount of Customs duties collected, with the cost of collection. 407

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F. Vote of supply, House of Assembly. 409

G. Statement of salaries and pensions not necessary to be laid before the House of Assembly for the purpose of estimating Ways and Means. 412

H. List of pensions and salaries not included in the estimate of civil expenditures laid before the Council and Assembly. 413

March 28, Quebec. Dorchester to Portland (No. 25). Sends minutes of Council on State business from 15th February to 10th March, and on Crown Lands from 18th January to 21st March. 417

Minutes, 6th March. The 15th Article of instructions communicated. 418

Additional report on Public Accounts, proceedings and details. 419

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Minutes on Crown Lands, 6th March, 1795. Report on petitions respecting the Cul-de-Sac in the harbour of Quebec. 432

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Report on petition respecting a wharf to be built in the Cul-de-Sac by Munro & Bell. 440

Minutes, 21st March. Report concerning lands on Missisquoi Bay presented. 447

April 2, Quebec. Dorchester to Simcoe. Remarks on his (Simcoe's) demand for alterations in the Indian Department, which he does not consider it necessary to comply with. 451

April 10, Quebec. Same to Portland (No. 26). Remarks on his correspondence with Simcoe respecting the Indian Department, troops, &c. The embarrassment caused by contradictory orders. 449

April 25, Quebec. Same to same (No. 27). Dispatches received, but not the copy of the treaty with the United States; its contents, so far as relates to posts, have long been circulated in the States and Indian country. It would be desirable to bring about a termination of hostilities between the States and the Indians, but Pickering, Wayne and their agent show disdain of any interference. All expenses on the other side of the line have been discontinued, except such as are necessary for the health of the troops and preservation of stores. The importance of forts to take the place of those evacuated, particularly those of Detroit and Michilimakinak, but he understands Simcoe has already orders to that effect. 456

April 25, Quebec. Same to same (No. 28). His thorough conviction of the expediency of peace with the United States. Points out, however, his delicate position in regard to his answer to the Indians at the Miamis in the year 1793. The danger at the Detroit and the threats of Wayne, arrogating as a right all the territory on their side of the treaty line, a doctrine also asserted at Lake Champlain, where the mischief was not considerable, whilst the danger at Detroit was great. To have permitted Wayne's demands would have been to deliver up the troops pinioned and defenceless, and to leave valuable property to the discretion of Wayne and his army. His answer to the Indians was within what the conduct of the States would have justified, who ought to have kept within the limits occupied by themselves at the peace of 1783, nothing on the Western frontier having been given up to them on account of the non-execution of the treaty on their part. "The diplomatic principle they knew

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"and dictated to us, but their application of it to what took place at the "Miamis, served to prove that we were strictly within the rule laid down "by themselves." The plan of the States was to push their claims to the utmost, short of hostilities, and his fear was that trusting to meek acquiescence under every degree of aggression, they might be hurried too far. Hence it became necessary to quicken their own apprehensions; the effect. Remarks on the use of the "old political engine" in the United States, to impress the multitude with sentiments suited to the schemes of their rulers. The chance of the federal sytem being over thrown, had the opposing party taken advantage of indiscretions on the part of the other side, and have rendered the continent a scene of great confusion. This explanation is not intended as an objection to the Ministry censuring his conduct as far as the national interests might require. There the line should be drawn. His resolution to resign. The motives for sending him in 1786 and the policy then adopted being totally changed, he would have begged for leave to retire, but in addition his advanced age denies him the activity necessary in a distant command. Page 458

April 25, Quebec. Dorchester to Simcoe (No. 29). Recommends Chartier de Lotbinière to be Councillor in room of Collins, deceased. He is Speaker of the Assembly and there are others there well qualified for the Council, should the number of members be increased. Does not wish any alteration made till after the general election. The services of these gentlemen in the Assembly, where they wish to promote the interests of Canada on general principles and united to oppose the danger arising from party animosity. Mr. Collins was deputy Surveyor General; believes that the office may be abolished. 464

April 25, Quebec. Same to same (No. 30). Sends Council minutes on State business from 11th March, to 22nd instant. 466

Minutes, 22nd April. Memorial of James Cuthbert (p 467). Report p 472. 467, 472

Report on petitions for lands on the Restigouche. 474

Committee appointed to audit the Receiver General's accounts. 476

Salaries recommended to be paid to the sheriff and gaoler of Three Rivers. 477

May 8, Whitehall. Portland to Dorchester (No. 14). Dispatches received; orders sent to be careful in packing Indian goods. Duplicate of the warrant for appointments to the Council are sent; an alteration may be made in the mode of summoning. Letters sent since the conclusion of the treaty with Jay explain the policy towards the Indians. The principles on which they are to be governed. Acknowledgements of attention paid to public disbursements. Is sorry that any doubt should have arisen as to the military command being in his (Dorchester's) hands. Has no doubt that His Lordship will listen to representations from the Lieut. Governor, but all matters relating to different deparments are under His Lordship's authority and directions. Requisitions for clothing transmitted to the Treasury. 308

May 27, Whitehall. Same to same (No. 15). His concern at the dissatisfaction in his letter No. 22 (p 313). Had the particulars been given, that might have been removed. Coinciding in His Lordship's view as to the consolidation of the strength of the North American Provinces, he does not believe a fair and candid reference to the correspondence would support the opinion that it was the policy to withdraw the power from the person in whom it has been placed or to diminish a particle of it. His authority in a military capacity defined as giving him full power. When it was necessary to correspond directly with the Lieut. Governor, &c., it was always distinctly understood that the letters should be communicated to

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His Lordship. The limits of civil authority between the Governor General and Lieut. Governors, who are to send to the Governor all information asked for. The expensive system of collecting license duties and how it may be remedied. Page 364

June 30, Whitehall. Portland to Dorchester (No. 16). Free passage given to Bernard Carey, a loyalist and his family; on his arrival in Upper Canada, he is to receive a grant of land and the same advantages as he would have received had he come in 1792. 478

July 6, Whitehall. Same to same (No. 17). His Majesty's satisfaction with the manner in which both Houses in Lower Canada have co-operated to provide for the support of Government; remarks. Regret at the unpleasant disagreements between him (Dorchester) and Simcoe. His (Portland's) last letters show that the Indian Department and Commissariat are subject to the orders of the Commander-in-chief, but when the administration of these affects the civil government in Upper Canada, it was hoped that His Lordship would be induced to pay attention to the executive authority of that Province. The hope that in consequence of the raising of the battalions in Canada and the arrival of troops from the West Indies, His Lordship would be enabled to reinforce Upper Canada, did not fetter his authority as commander-in-chief or release Simcoe from the necessity of paying prompt obedience to his commands. Regret that His Lordship has determined to retire. The recommendation of Chartier de Lotbinière approved of and that respecting the Legislative Council shall receive attention. 480

GOV. LORD DORCHESTER, 1795.

Q. 72-73—1. Q. 72-73—2.

1795, May 16, Quebec. Dorchester to Portland (No. 31). Calls attention to the inconvenience that arises to the trade of the Province from formalities imposed on the import of pot and pearl ashes from the British Colonies, that are no longer required on those imports from the United States. Draught of an address from the Assembly on the subject enclosed. Page 1

Address proposed, but not adopted, as it was thought a less formal representation would be sufficient. 3

Addition to the address. 9

May 16, Quebec. Dorchester to Portland (No. 32). The system on which lands are sold by the United States Government; the profits of land jobbers. It would be difficult to say what would be the cost to Government to have a township surveyed. A petitioner for lands could have a township surveyed for £150, and with the same for fees, would cost him seven pounds currency for each 1,000 acres. The change in fees will be to give up those to the Governor to be added to the Surveyor General's share, which was very small. His reason for renouncing fees in 1766 was because the people were poor, and the system appeared oppressive, mean and sordid, as if fees and perquisites made a leading object, to the great disparagement of the King's Government. Circumstances have changed and the people are richer, but he thinks the King's representative should derive all the emoluments of his office from the King alone. 13

May 25, Quebec. Same to same (No. 33). The appointment of Sewell to be Attorney and Advocate General. P. L. Panet appointed a puisné judge for the district of Montreal. 16

May 25, Quebec. Same to same (No. 34). Dispatches received; as instructed, has issued a proclamation prohibiting the exportation of wheat, wheat flour and pease, to every country except Great Britain and the King's other dominions. Encloses the Attorney General's opinion on the subject. 18

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Proclamation (in English, 19); (in French, 23). Pages 19, 23

Attorney General's opinion. 27

May 25, Quebec. Dorchester to Portland (No. 35). Sends minutes of Council on State business from 23rd April to 18th May, and on Crown Lands from 22nd March to 16th May. 32

Minutes, 14th May. Extracts from the Duke of Portland's letter respecting the exportation of wheat, &c., laid before the Council. 33

Minutes, 16th May. Report on the same. 35

Forms submitted by Ainslie of accounts for the collection of customs, for drawbacks, &c., with report of the committee. 39

Minutes, 18th May. Report on the draught of a proclamation respecting the exportation of wheat, &c. 41

Minutes on Crown Lands, 2nd May. Report on petitions for land. 44 to 90

(The names of the petitioners are in alphabetical list at the end of the calendar of this volume).

Minutes, 9th May. Various applications (marked A. to Z) and *a* referred to Committee. &c. (For names see alphabetical list at end of this volume). 90 to 97

Report of the character and political principals of applicants for land in Hinchinbrook. (For namessee alphabetical list at end of this volume). 97

On application of inhabitants of Montreal for two lots, on one to build a Court House and Public Offices and on the other a gaol. 97

Survey ordered for Dunham. 98

Respecting lots in Godmanchester, Hinchinbrook and Hemmingford. 98

(For names see alphabetical list at end of this volume).

Minutes, 14th May. Boundaries of New Longueuil. 100

Report on character of applicants for land in Ascot. 100

(For names see alphabetical list at end of this volume.)

Minutes, 16th May. Further respecting the boundaries of New Longueuil. Report in full. 101

Report in full on the result of the survey of Dunham. 103

May 25, Quebec. Dorchester to Portland (No. 36). Sends naval officer's returns of vessels entered and cleared at St. John's between 30th August, 1794 and 1st instant. 106

Report. 107, 108

May 30. Dorchester to Portland (No. 37). Encloses memorial from John Young, pointing out the injury and loss that will be sustained by individuals, in consequence of Government having appointed agents to buy up wheat in the Province. Other memorials are to be presented, in which Young, as a member of Council, declined to be concerned. 109

Memorial. 111

June 10, Quebec. Dorchester to Portland. (No. 38). Sends journal of Legislative Council and exemplification of the acts passed at the late session of the Provincial Parliament. Remarks on some of the acts. 119

Journal of the Legislative Council of Lower Canada, beginning 5th January and ending 7th May, 1795. 121 to part 2 p. 269

June 27, Quebec. Dorchester to Portland (No. 39). Sends minutes of Council on State business from 19th May to 23rd June, containing report of Committee of the Whole Council on the Public Accounts. He has suspended payment of Mr. Gale's demand of an additional sum of two shillings and sixpence a day for services in the Surveyor General's office, for reasons given. Recommends some other method of paying him than to sanction a retrospective account. Has also suspended payment of a claim by the Deputy Clerk of the Crown for expenses at Three Rivers, in addition to the sum fixed for that service. Regrets that gentlemen in Britain should look to America for reward for their services; the evil effects produced

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in the revolted colonies and what may be apprehended to those which remain. These gentlemen should receive such remuneration in their offices as to place them above pecuniary speculation in the colonies.
Page 270

Minutes ,15th June. Petitions from distressed families complaining of the high price of flour caused by forestalling. An investigation to be made. 273

Minutes, 23rd June. Report of the Committee of the Whole Council on the Public Accounts, journal of proceedings and details, with memorial from Gale. 275 to 332

June 27, Quebec. Dorchester to Portland (No. 40.) Sends copy of answer from Wayne, with paper which accompanied it. 333

Enclosed. Letter from Wayne dated 24th January, 1794, (that is 1795) to Dorchester acknowledging receipt of His Lordship's letter of 6th October, 1794. Sends extract from official letter from John Jay, Envoy to the Court of London. He (Wayne) will co-operate to promote a lasting and good understanding. 334

Extract of letter from Jay, dated 12th July, 1794, that during the negotiation everything is to remain *in statu quo.* Should prisoners or property have been taken by either side they are to be released and restored. 335

July 11, Quebec. Dorchester to Portland (No. 41.) Cannot understand how Dundas came to entertain the opinion that tithes were collected by the Protestant Clergy in Canada. The serious consequences of any attempt to introduce such a system. 336

July 11, Quebec. Same to same (No. 42.) Death of Campbell, Commandant of the Indians and Superintendent and Inspector of Indian affairs. Sends applications from Captain Claus of the 60th and Brevet Lieut. Colonel Fraser of the 34th to succeed to the office. Recommends that whoever is appointed should be made Deputy Agent in Lower Canada, not Superintendent. 338

Memorial from William Claus. 340

Application from Fraser. 343

July 11, Quebec. Dorchester to Portland (No. 43.) Has appointed Finlay auditor for the grants of land. 346

Commision to Finlay. 347

Official letter to Hugh Finlay, dated 17th June, 1795, signed by H. W. Ryland, that a commission has been prepared appointing him auditor. 349

July 11, Quebec. Dorchester to Portland (No. 44.) Sends minutes of Council on Crown lands from 17th May to 23rd June. 351

Minutes, 15th June. Reports on various petitions. 352 to 372
(For names see alphabetical list at end of this volume).

Minutes, 23rd June. Petitions for lands referred to Committee. 372
(For names see alphabetical list at end of this volume).

July 18, Quebec. Dorchester to Portland (No. 45.) Application for increased remuneration by the Collector and other officers of Customs, in consequence of the act for increasing the duties, has been sent for consideration. The mode of accounting by the Collector of Customs for the duties collected disapproved of, as not in accordance with the regulations of the Treasury. Sends documents showing the loss sustained by the mode of accounting for the revenues. A suit entered by the Crown against Grant and also against Mills the late Receiver General, for money improperly appropriated, Mr. Grant being security for the latter. Suggests that all money collected be paid in direct, any expenditures to be paid by warrant and not left to the discretion of any officer. The loss is not the only evil; the power of discriminating between right and wrong becomes weakened by custom, and perquisites are seized with avidity by inferior servants of the Crown

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and extended in every direction, affording materials to leaders of sedition. Page 374

Correspondence and other documents relating to the subject of the letter. 379 to 407

July 18, Quebec. Dorchester to Portland (No. 46). Sends printed copies of the minutes of Assembly, from 11th November, 1793, to 31st May, 1794, and from 5th January to 7th May, 1795. 408

(Not copied, the printed Journals being here).

July, 18, Quebec. Dorchester to Portland (No. 47). Trial of Connolly for stealing from the King's stores at Lachine; his acquittal by the jury. His dismissal from employment. To correct the impression of his innocence transmits Connolly's memorial and confession. 409

Confession of Connolly. 411

Deposition of Mrs. Jones. 414

July 25, Quebec. Dorchester to Portland (No. 48). The Duke of Liancourt has asked permission † come to Lower Canada, and been refused. The regulations concerning the French emigrants; those now here are in great distress and a subscription has been made for their relief. Has allowed them to remain for four months till they can obtain permission. The difficulty of discriminating among people of this description; asks that instructions be sent to the commanders in the West Indies, that no more emigrants be allowed to come thence to Canada, where they must be a burden and in which their presence may be pregnant with dangerous effects. 430

List of aliens arrived at Quebec in the schooner "Susan Craigie." 433

Letter from Henry Hamilton, dated at Dominica 3rd May, 1795, introducing the Marquis du Barail. 434

Commission to Barail by Hamilton, appointing him commander of a corps of French royalists from the West Indies. 436

July 25, Quebec. Dorchester to Portland (No. 49). Sends extract of a report of Council on the proposals from Nova Scotia. The desire of the Assembly to place the finances on a proper footing, the disposition to treat all the Provinces liberally. A Bill for this purpose postponed until the treaty with the United States has been ratified. Conduct of Chief Justice Osgoode and his colleague may give trouble to the new governor. Details given. 438

Extract of the report referred to. 442

Schedule A showing revenues for three years, with yearly average. 452

Schedule B. Estimate of Ways and Means for raising supply. 453

Considerations respecting raising revenue. 454

Other documents. 459, 461

July 25, Quebec. Dorchester to Portland (No. 50). Young has taken the oaths as a member of the Court of Appeal; hears that de Bonne has also taken his seat; the others will do so when they come to town, so that the Court will no longer be prevented from proceeding to business for want of a quorum. 464

September 3, Whitehall. Portland to Dorchester (private). General Prescott to be appointed Lieutenant Governor of Lower Canada. It is doubtful if he can sail this autumn, but he will undoubtedly leave in spring. His (Portland's) regret at His Lordship's determination to retire. 420

September 3, Whitehall. Same to same (No. 17). Dispatches received. Has transmitted to the Lords of Trade papers relating to the inconveniences to the exporters of pot and pearl ashes (see p. 1). Respecting the expenses of surveying lands being borne by the grantees. Respecting His Lordship's liberality in giving up his portion of the fees; how the proportion to the Surveyor General might be regulated. Remarks on the appointment of Sewell as

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Attorney General, and P. L. Panet as puisne judge. The power to lay an embargo on the exportation of wheat, wheat flour and pease, is vested in executive authority in the Province. The plan of purchasing wheat by agents, complained of by Young (see pp. 109, 111), was only adopted by Government in consequence of the emergency, and is not to be permanent. Whatever the law, it would require serious consideration before the right to collect tithes could be allowed to be exercised. The importance of preserving peace and good order among the Indians; the necessity of having a proper successor to Campbell; would have been relieved had His Lordship stated his own wishes (see p. 338). Sees no objection to the appointment of Finlay as auditor. The documents relating to the memorial for increased emoluments by the officers of Customs have been transmitted to the Treasury, pointing out that it is desirable that the public taxes should be paid in with the least possible diminution. Approves of the dismissal of Connolly. Journals received. Page 421

September 3, Whitehall. Portland to Dorchester (No. 18). Sends copy of letter to Simcoe respecting the Commissariat and Indian Departments, so far as they relate to Upper Canada. 428

(The letter to Simcoe of this date is in Q. 281-2 p. 376).

September 6, Whitehall. Portland to Dorchester (private). It has been suggested that the grantees of land in Lower Canada, besides paying the expense of surveying, &c., of £3 6s. 8d. for every 1,000 acres, would be enabled to pay a further sum, which would secure the best settlers. Asks His Lordship to consider the suggestion. 429

(Vol. 73 contains exemplifications of the Acts passed during the session ending on 7th May, 1795, and printed copies of the Journals of Assembly, which are not copied, as the printed volumes are among the Archives. The covering letter, dated 7th August, 1795, is numbered 51).

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GOV. LORD DORCHESTER, 1795.

Q. 74—1.

1795. August 6, Quebec. Dorchester to Portland (No. 52). Sends requisitions for goods for the Indians in Upper and Lower Canada. Page 1

Requisitions. 2, 5

August 7, Quebec. Dorchester to Portland (No. 52 should be 53). Sends minutes of Council on State business and the same on Crown lands, both from 24th June to 23rd July. 7

Minutes, 3rd July. On the importation of West Indian produce, to lie on the table. 8

Report on the petition of poor families in Quebec, with journal of proceedings, &c. 9

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Preliminary report on subjects referred by Portland for consideration. Page 22

Minutes, 6th July. Proclamation against forestalling, &c. 24

Minutes 23rd July. Respecting *mandamus* for councillors (named). The warrants of appointment are given separately. 27 to 33

Report on the Duke of Portland's reference respecting the address from Nova Scotia. 33

Minutes on Crown Lands. Reports referred to a Committee. 50

Report on sundry petitions, memorials and returns of commissioners. 52 to 64

(The names of the petitioners are in alphabetical list at the end of the calendar of this volume.)

August 7, Quebec. Dorchester to Portland (No. 54). Sends naval officer's return of vessels entered and cleared at Quebec. 65

August 8, Quebec. Same to same (No. 55). Acknowledgment of the favourable opinion entertained of him by the King. It is desirable, as mentioned in His Grace's letter, to take measures for improving the Church and Crown lots, but at present it is impracticable for him to consult with the Crown lawyers; trusts his successor will arrive with sufficient authority to restore order, otherwise he should have advised the recall of the two Chief Justices, or of the Governor, or still better, of all three. An immediate recall might help to trace to its source the political under current which heretofore sapped the very foundations of Government in the revolted Provinces. 66

August 8, Quebec. Same to same (No. 56). Sends state of the forces in North America. 68

State of the forces. 68 *a*

August 28, Quebec. Dorchester to Portland (No. 57). The past difficulties in granting lands in the Province; the arrangements for correcting the errors of surveys, &c.; advertisement that all expenses for taking out a patent are to be defrayed by the grantees; the Attorney General ordered to prepare a warrant of survey; proceedings thereon by committee, &c. 75

Schedule of enclosures and the reports from Attorney General, committee, &c. 77 to 106

August 28, Quebec. Dorchester to Portland (No. 58). Sends minutes of Council on Crown Lands, from 24th July to 21st August. 107

Minutes, 17th August. Reports on petitions. 108

(See alphabetical list.)

Draught warrant of survey, with proceedings. 113

Table of fees for land grants. 115

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Respecting Simcoe's letter on the appointment of surveyors to ascertain the boundary between Upper and Lower Canada. 118

Minutes, 19th August. Further respecting the table of fees. 120

Minutes, 21st August. Reports on petitions for land. Thomas Dunn and associates to be granted; others referred to committee. 121.

(See alphabetical list.)

September 5, Quebec. Dorchester to Portland (No. 59). To remove difficulties in the way of surveying the land for Dunn, in consequence of the want of legal form, had appointed Coffin Surveyor General of Woods, in order to qualify him to sign the necessary documents. 124

The warrant appointing Coffin. 125

September 5, Quebec. Dorchester to Portland (No. 60). Crops in the Province said to be very bad; has appointed a committee to inquire into their condition. Is afraid it will be necessary to lay an embargo on the exportation of wheat. 127

September 9, Quebec. Same to same (No. 61). Sends report of survey on goods received by the "Sarah," dated 3rd instant. 128

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Report of survey. Page 129

September 9, Quebec. Dorchester to Portland (private). Introduces and recommends Lieut. Colonel Campbell, who commanded at the Miamis and conducted the correspondence with Wayne, in August, 1794. He can give the latest information. 73

September 19, Quebec. Same to same (No. 62). In consequence of the report on the condition of the crops, a proclamation has been issued prohibiting the exportation of corn and flour during the present season. Sends return of the quantity shipped previous to the embargo; appearances of scarcity are serious, but he hopes there will be enough of wheat for consumption and for seed; if not, the troops and Province at large must depend on the Mother Country for a supply. Crops in Upper Canada said to be good. Simcoe has been asked to report. 132

Proceedings of the Council relative to the inquiry respecting the state of the crops 134 to 170

Proclamation. 171

List of vessels and their cargoes of wheat for Great Britain under convoy. 176

The same before convoy. 177

The same cleared since the 8th August. 178

The same sailed since the convoy. 179

September 19, Quebec. Dorchester to Portland (No. 63). Difficulty has arisen respecting the boundary line between Upper and Lower Canada. The report of the committee of Council has been sent to Simcoe, with a sketch of land between the St. Lawrence and the Ottawa, which, with observations, may assist His Grace in determining whether it may be proper to obtain an alteration in the order concerning the division of the two Provinces. 180

Proceedings of Council on the subject of the boundary, &c. 181

Copy of letter to Simcoe transmitting the proceedings. 195

Sketch of the tongue of land between the Ottawa and St Lawrence. 195*a*

September 19, Quebec. Dorchester to Portland (No. 64.) Transmits an application from the Chief Justice and Justices of the Court of Kings Bench, Montreal, for a resident clerk to keep the records. 196

Representation from Chief Justice, &c. 197

October 10, Whitehall. Portland to Dorchester (No. 20.) Recommends the continuance of measures to prevent the exportation of wheat, &c., to any country but Great Britain, owing to the still existing scarcity. 72

October 10, Quebec. Dorchester to Portland (No. 65). Application from the Rector, &c., of Christ Church, William Henry, respecting their privileges as a corporation. Sends copy of petition from Christ Church, Montreal, for letters patent erecting it into a parsonage, endowing the rector, wardens and vestry with corporate powers, but without subjecting the parishioners to tithes. The reports show an essential difference of opinion between the late and present Attorneys General on the subject of the authority of the Protestant Clergy in Canada to demand tithes. 199

Petition from Christ Church, William Henry. 201

October 18, Whitehall. Portland to Dorchester (No. 19.) Letters received. The principle in dealing with the claim of Gale approved of; he may receive a reward for past services, &c. The attendance of Colonial officers whose presence is required shall be enforced. Respecting French emigrants, the considerable force sent against the French West Indian Islands cannot fail to secure to the emigrants a safe return to their property, &c. His regret at the disagreement between His Lordship and the Chief Justices, their position and character would lead to the hope that their conduct would be regulated by love and veneration for the constitution and by a steady

1795. desire to support its Government. Requisitions for Indian goods sent to the Treasury. Page 69

October 21, Whitehall. Portland to Dorchester (No. 21.) Desires His Lordship to settle with the Government of the United States the measures to be taken for the evacuation of the posts at the period prescribed by the treaty. 74

GOV. LORD DORCHESTER, 1795

Q. 74-2.

1794. August 21, Montreal. Dorchester to the Baron de Carondelet, Governor of Louisiana. Represents the ill treatment suffered by the correspondents and traders of Todd & McGill, and Forsyth & Richardson, by persons acting under the orders of the officer commanding at Fort St. Louis, on the Mississippi, whilst they were engaged in trade in that river, 100 miles above any of the posts occupied by Spanish troops. Communicates with him directly and not through their respective courts, persuaded that he will see justice done. Page 234

(In Dorchester's No. 68 of 26th October, 1795).

1795. January 2, Quebec. Bishop (Anglican) of Quebec to King. Has not yet received instruments appointing him to the Executive Councils of Lower and Upper Canada. Thinks the documents must have been sent by the August packet which was lost; hopes they may be renewed and forwarded without delay. The inconvenience and disappointment caused by their non-arrival. 329

January 24. W. Grant to same. Sends letter with regard to the position of Colonel Gugy and his son in respect to lands devised, which they cannot enjoy not having received an act of denization. Asks that they receive this and also a grant of the lands in question. 331

Enclosed. Thomas Dunn to Grant, dated Quebec 23rd October, 1794, giving details of Gugy's case, as referred to in preceding letter. 332

February 5. Memorial (in French) from the Seminary of Montreal, received from the Bishop of Léon, relative to the estates belonging to the Seminary. 336

Observations Preliminaires. 342

February 20, Quebec. Finlay to King. His anxiety to ascertain if anything has been settled respecting his remuneration; nothing yet received. Refers to his statement of services and to his application to be made auditor. Sends copy of memorial respecting a salary to be attached to his office for which he holds a patent but no salary; he would be perfectly satisfied were £200 a year attached to it, otherwise he must continue to suffer; makes a strong personal appeal. Has reason to believe that Dorchester has recommended that he should obtain a grant of the seigniory and forges of St. Maurice. Refers to memorial on the subject. The heavy duties which may probably devolve on the Chairman of the Land Committee; would cheerfully continue his services in it if the salary were attached to the office of Clerk of the Crown. 348

Documents referred to in letter sent by his nephew, Mr. Ingram. 353 to 358

April 6, London. Robert Hunter to Portland. Transmits a letter from the merchants in the Canadian trade, in favour of Colonel Fraser, for an appointment in the Indian Department. 359

Letter from the merchants. 360

April 25, Quebec. Bishop (Anglican) of Quebec to Portland. Thanks for the approbation of his conduct. Shall consult with Simcoe and communicate the result. Has not yet received the instruments appointing him to the Executive Council. The importance of the appointment to enable him to forward education, religion, &c. 362, 364

1795.
May 14, Portsmouth. Simon McTavish to King. Reminds him of Clarke's application that he (McTavish) should be appointed to the Legislative Council. Has no wish for any pecuniary advantage, but thinks his desire to have a voice in the Legislature is reasonable. Page 365

May 26, Quebec. Finlay to same. Had sent duplicates of previous letter. Dorchester, he understands, intends to recommend him for auditor, should he (Finlay) desire it. His acceptance of the offer. Should the fees on land grants be doubled, not an acre less would be applied for; applies to have the fees to the auditor increased to ten shillings per 1,000 acres, for which he would have to superintend the Crown and Clergy Reserves. If Mr. Cholmondley's patent includes Canada he (Finlay) can only expect to be his deputy, with additional fees for superintending the reserves. 367

June 10, Quebec. Opinion of Sewell, Attorney General, on the question whether the rector, wardens and vestry of Christ Church, William Henry, are a corporation having authority to call parish meetings for the purpose of assessing the people. 203

(In Dorchester's No. 65 of 10th October in Q. 74—1, p. 199).

June 12, New Orleans. Baron de Carondelet, Governor of Louisiana, to Dorchester. Has received complaint of traders being despoiled on the Mississippi by Spanish officers. It does not depend on him, but on the courts to settle this matter, but directs attention to the fact that an illicit trade has long been carried on, and that the persons now complaining have not been prosecuted, but their goods only confiscated. Shall, however, transmit to the Spanish court his (Dorchester's) letter and this answer, so that His Majesty may decide. In the meantime he must obey orders. 236,238

(In Dorchester's No. 68 of 26th October, 1795).

June 27, Quebec. S. Gale to Pulteney. Cause of delay in writing. Complains of the delays in the land granting department. Has himself unravelled the old French land grants, but reputation does not avail much to a man of his age, with a large family. He would have left Quebec in 1792, but for the promise of recompense held out by the late Chief Justice; the inadequacy of the sum proposed, even if it had been paid. The evil effects of the system of mistaken economy; it costs fully twenty times as much as it would have done had people of ability been employed. The improper manner in which the expenses have been charged. Feels himself compelled to go to the United States to pick up what remains of his property there. His apprehensions respecting intrigues against him, not on the part of Lord Dorchester, but on that of a person in whom he confides. 363, 370

July 6, London. Ingram to King. Sends copies of Finlay's letters, &c. 382

July 11, Quebec. Finlay to same. Sends a copy of the commission by Dorchester, appointing him auditor of Lower Canada. Repeats his suggestion as to the scale of fees that might be charged on grants of Crown lands. Changed state of feeling in respect to the situation of Crown and Clergy reserves. Hopes that Portland will desire His Excellency to recommend next session of the Legislature that a salary be attached to the office of Clerk of the Crown in Chancery, and for additional fees for land grants. 383

Enclosed. Letter from Ryland dated 17th June, intimating his (Finlay's) appointment to the auditorship. 386

The commission. 388

Table of fees proposed by the Land Committee (390) and as proposed by Finlay, (391.) 390, 391

July 15, Quebec. The Bishop (Anglican) of Quebec, in answer to the opinion of the Attorney General, that the rector, wardens and vestry of Christ Church,

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William Henry, are not a corporation, and have not any authority to call parish meetings for the purpose of assessing the people. The necessity for legislative interference for the better regulation of the ecclesiastical affairs of the Church of England in the Province. Until parishes are erected and endowed according to the Act of 31st George Third, no Act of the Legislature can effectually remove the difficulties under which Protestant congregations labour, as no act can be framed applicable to them in a collective capacity, whilst they remain in a state undefined and unknown to the law. Proposes that rectories be erected according to the establishment of the Church of England in the cities of Quebec and Montreal and in the boroughs of Three Rivers and William Henry, and that ministers be duly instituted into the churches. Calls attention to the depressed situation of the Church of England in its dependence on the Church of Rome for a place of worship at Quebec, the actual see of the Protestant Bishop. Earnestly solicits His Lordship's interference for the immediate correction of this unfit dependence, and for the relief of the congregation at Three Rivers, who perform Divine worship by sufferance in the Court House. Calls attention to and gives details of the state of education in the Province, where there is not a grammar school worthy of the name, or inferior schools conducted on proper principles. The result of this is to compel the higher classes to send their children to the United States to complete their education, a necessity pregnant with alarming mischief. Proposes that a Protestant schoolmaster should be placed in every town or parish to teach English gratis and writing and arithmetic at an easy rate. Reasons for the adoption of this proposal. Page 207

(In Dorchester's No. 65, of 10th October, Q 74-1 p. 199.)

Petition of the minister &c. of Christ Church, Montreal, dated 29th October, 1792. 214

Opinions by Attorney General Monk (219) and by Attorney General Sewell (222). 219, 222

July 22, Quebec.

Finlay to Messrs. Ingram. The prospect of being employed in the land granting department at which he has laboured for eight years. He might also be employed to preserve the Crown and Clergy Reserves from depredation. Respecting the table of fees on land grants, and what he proposes. If Cholmondley's patent as auditor does not cover Canada, the inspection of the reserves might be made part of the duty of the auditor. 392

July 30, Navy Hall.

Simcoe to Dorchester. Three hundred troops of Pennsylvania are at Presqu' Isle to be employed in the construction of a fort. As it had been determined to begin a settlement at Long Point, he will visit that part of the country. Asks leave to establish a detachment (100 men) of the Queen's Rangers at Turkey Point. Thinks no time should be lost in making arrangements. 309

(In Dorchester's No. 73 of 7th November.)

August 17, Quebec.

Dorchester to Simcoe. As the condition of the King's affairs in Upper Canada appears to have changed, sees no objection to his employing the Queen's Rangers in their civil capacity for provincial projects, particularly those which have met with the approbation of Dundas. But these must not interfere with the transport of military stores and provisions to the posts. 311

(In Dorchester's No. 73, of 7th November.)

August 21. Twickenham.

Sir John Johnson to ——— ———. Urging the claims of Claus to succeed Campbell, now deceased, in the Indian Department. He (Sir John) is at present obliged to support the family, which is hard after all their exertions in support of Government. Brant has written for his medal and watch, the former left to be engraved, the latter to be altered. 396

1795. September 4, Detroit. McKee to Chew. Sends copy of treaty between Wayne and the Indians. The Shawanese and Ottawas have resolved to leave the Miamis and are sensible of their Father's benevolence in suggesting a retreat for them at Chenal Ecarté. He (McKee) will go there in a few days to make an agreement with the Chippewas for a tract of land for the purpose. It does not appear that many, if any, of the Indians knew the extent of the cessions made by the treaty; when better informed they will see how completely they have been duped. It is reported that Wayne will take possession of some of the Indian territory this fall, particularly Turkey Point. Page 286

(In Dorchester's No. 71 of 26th October.)

September 14, Detroit. McKee to Chew (extract). Egouchenay, returned from Wayne's treaty, brought a copy with him; on being read over to him, he and other chiefs declared they never heard several of the articles. From the duplicity of the Americans, the fidelity of the Ottawas to the British is more firmly rooted than ever. 288

(In Dorchester's No. 71 of 26th October.)

September 30, London. Col. Alexander Lennox to Portland. Asking that his son be appointed to the vacancy in the Indian Department caused by the death of Campbell. 398

October 12, Quebec. Dorchester to Portland (No. 66). Sends printed copy of the statutes of Lower Canada, since the establishment of the present constitution. 230

(Contained in the first volume of Provincial Statutes.)

October 12, Navy Hall. Simcoe to Dorchester. The prospect of the treaty with the United States being completed. Hopes that his system which endeavours to blend the civil protection and advancement of the Province with military arrangements for general defence, will be carried into execution. Under His Lordship's restrictions he will do nothing beyond encouraging the erection of saw and grist mills near Long Point and on the Thames. Sends a sketch to show where he had fixed the site of a town at Long Point, barracks, a pier and blockhouse to give protection to the shipping. Had come down to Docksteder's; its convenience for a portage for goods, &c., not taxing the health of the soldier as in the struggle against the rapids at Fort Erie. Sends also report on Chatham. 312

(In Dorchester's No. 73 of 7th November).

October 16, Quebec. Dorchester to Portland. That letter granting leave of absence to Pownall, Secretary of Lower Canada, has been received; permission given accordingly. 231

October 23, Quebec. Finlay to King. Is sorry to learn of his illness. Apologises for his many letters, but trusts to his (King's) kindness to forward his views. His five boys will serve their King; his second son is a midshipman on board the "Argonaut" and the eldest is waiting orders to join the Royal Fusiliers at Halifax. 400

October 24, Quebec. Dorchester to Portland (No. 67). Sends naval officer's returns of vessels entered and cleared at Quebec from 5th July to 10th October. 232

October 24, Quebec. Same to same (No. 69). Sends requisitons for military stores for 1796, in accordance with letter from the Treasury. 241

Requisitions. 242, 250

October 25, Quebec. Dorchester to Portland (No. 70). Packages landed from the transports that carried troops to Halifax, supposed to contain materials, knapsacks, &c., for the use of the corps of Royal Canadian Volunteers; the articles are not in proportionate quantity, but as there are neither letters nor invoices, it cannot be told whether the masters have landed all or not. A survey ordered. 259

October 26, Quebec. Same to same (No. 68). Representations made by merchants at Montreal of the ill-treatment of their correspondents and traders on the Mississippi by the person acting under the authority of the officer com-

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marding at the Spanish fort of St. Louis on that river. Had written to the Governor of Louisiana, which, with the answer, is enclosed. The merchants concerned will transmit to their agents in London a statement of the loss and the proofs. Page 233

(Letter from Dorchester of 21st August, 1794, and the answer by the Governor of Louisiana, of 12th June, 1795, are calendared at their respective dates.)

October 26, Quebec. Dorchester to Portland (No. 71)). Sends copy of treaty between Wayne and various tribes of Indians (named). Sends copy of the treaty, map, &c. Such parts of the treaty as militate against that concluded between Lord Grenville and Mr. Jay can be settled by the two Governments. Indians believe they have been imposed on. 264

Treaty of 3rd August, 1795. 266

October 26, Quebec. Dorchester to Portland (No. 72). Sends copy of the lease of the King's posts on the Labrador coast; its terms. The rent is £400 currency or £360 sterling, but more would be got if the lease were fairly put up to the highest bidder. As the revenue from these posts is to be applied to civil government, thinks the King's servants should point out the means of turning this to the best account, as well for the benefit of the Provincial revenue as to deprive promoters of sedition of a pretext for declaiming against the King's Government. 289

Copy of the lease, dated 21st June, 1786, signed by Hope. 291

November 2, Quebec. Coffin to A. I. Badeau. That the definite answer of the settlers in the Borough of William Henry will be dispensed with, their case being referred to the King's decision. Dorchester thinks the feudal right should be given up, but that an annual moderate rent should be charged in lieu thereof. 326

November 5, Quebec. Dorchester to Simcoe. His satisfaction at the plans transmitted for laying out the harbours, towns and interior communication from Toronto to La Tranche. His (Simcoe's) application on the subject of the intended establishment was unexpected. So long, however, as he is Commander-in-chief he will act on his own knowledge and judgment. The military arrangements he has made in consequence of the treaty. Troops are withdrawn from Upper Canada, but so long as the war lasts they are necessary in Lower Canada. 315

(In Dorchester's No. 73 of 7th November.)

November 6, Quebec. Bishop (Anglican) of Quebec to Portland. Has received word from Simcoe that £500 have been voted for building churches in Upper Canada; hopes that this step will be followed by the appointment of ministers, with salaries adequate to their decent support. The expediency of fixing them at the various townships mentioned, except at Detroit, which is given up. His reasons for this, given in his letter to Dundas, are gaining strength with the increase of population. Hopes that pious and good men may be found to fill the office even at a smaller salary than that proposed, although he believes that £150 from Government and £50 from the Society for the Propagation of the Gospel would not be more than an adequate annual allowance. The reserves will very gradually, he fears very slowly, yield any assistance and Simcoe believes that to collect by tithes in Upper Canada would be in all respects inexpedient, if not impracticable, and Dorchester believes it would be impossible to establish such a claim in Lower Canada and very dangerous to attempt it. Reiterates the request for £150 to four clergymen annually, added to the present establishment in Upper Canada, and for a like allowance to Mr. Addison, minister at Niagara. Has received application from Caldwell's and Christie's Manors at the entrance to Lake Champlain, there being 40 families in the former and 20 in the latter, who have agreed to raise £50 a year in each manor for a clergy-

1795.

man; Caldwell will allot 100 acres for the benefit of a clergyman and help to build a church. Urges their claim for assistance. The anxiety of his commissaries on account of the suspension of their salaries, although he had been authorized by Dundas to employ them. They had not yet been put upon the Quebec establishment, although so far back as June, 1794, King wrote that orders had been given to that effect. Proposed to change the name from commissary to Archdeacon. Asks also for power to issue marriage licences to prevent irregularities. Encloses letter from Simcoe respecting a university for Upper Canada. Repeats the suggestion to apply to the Bishop of Lincoln for clergymen. Page 403

Enclosed. Letter from Simcoe to the Bishop, dated Kingston, 30th April, 1795, treating at length (18 pages) on the subject of a university for Upper Canada. 414

November 7, Quebec.

Dorchester to Portland (No. 73). The enclosures turn on the question of whether he is to receive orders from Simcoe or Simcoe from him. The expectations Simcoe must have had of an independent command in the upper country and by implication, that his control might extend much further. The situation of Nova Scotia and its dependencies did not permit Lieut. Governor Wentworth and Brigadier Ogilvie to extend their control to Quebec, but by the terms of the letter from Dundas, their independence of his (Dorchester's) command was established. "All command civil and military, being thus disorganized and without "remedy, your Grace, I hope, will excuse an anxiety for the arrival of "my successor, who may have authority sufficient to restore order, lest "this insubordination should extend to mutiny among the troops and "sedition among the people." 307

(Enclosures dated in July, August, October and November, calendared at their respective dates).

November 7, Quebec.

Dorchester to Portland (No. 74). The Seigniory of Sorel bought for military purposes. The lands undisposed of in 1783, to be divided into small allotments and given to the non-commissioned officers, privates and others on lease for ten years. The term having expired, the lands have been surveyed and titles given to the tenants. Many object to receive them on the seigniorial tenure and desire to have the lands in free and common socage. In answer to the statement that they had agreed to accept the feudal tenure, they have sent a second memorial which is transmitted for the King's consideration. Calls attention to the check to settlement that is caused by the feudal tenure. Had warned the tenants that in the meantime they must pay the rents, &c., but that there was no bar to them obtaining grants from the waste lands elsewhere. 319

The memorial. 323

December 4, Whitehall.

Portland to Dorchester (No. 22). Dispatches received. Regrets the misunderstanding between His Lordship and Osgoode, which tends to damp the reasonable expectations of the services Osgoode might render. Is sorry to learn that the scarcity of the crops had compelled him to issue a proclamation prohibiting exportation; should the surplus in Upper Canada permit, hopes that his desires may be complied with, as contained in letter of 10th October. Has transmitted to the Treasury his letter relative to the arrival of packages containing supplies supposed to be for the militia. A description of the new boundary line between Upper and Lower Canada to be transmitted to him (Portland). Trusts that His Lordship will render the execution of the treaty with the United States, so far as it regards Canada, a matter of as little difficulty or embarrassment as possible. No time should be lost in preparing the

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minds of the Indians for the evacuation of the posts, by facilitating traffic, &c. Page 259a

December 10, London. James Cuthbert to King. Had arrived on the 29th of November from Quebec, but had been unable to see him (King) when he called. The delays in obtaining a decision on his claim for damages, although the papers, evidence, &c., had been sent to the Treasury in 1789. Asks for an interview to have the matter settled. 432

Applicants for Lands in this Volume.

(The figures after the names show the pages.)

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B.—Balan, Pierre, 61; Barre, Conrad, 109; Beaubien, Antoine Desaunier, 61; Bleury (see de Bleury), Breymer, David, and two sons, 54.
C.—Camirande, Louis, 61; Cardinelle, Thomas, 56; Carsis, Hypolite, 61; Claus, William, 58; Coffin, Thomas, 56; Cook, George, 111, Philip, 60, Cowan, Moses, 111.
D.—Daly, heirs of Patrick, 58; De Bleury, Clement Sabrevois, 53; Desjalais, Marie Josephte Hervieux, widow of Joseph, 54; D'Estimeauville, Jean Baptiste, 122.
F.—Fortune, William, 122; Fraser, Ensign Alexander, 62.
G.—Glenn, Jacob, 58; Grant, William, 112; Green, Benjamin, 110.
H.—Hart, Moses, 60; Hill, Jonathan, 55; Hogel, Francis, 55; Holms, David, 56, Elias, 56, Samuel, 56; Hubbard, Elisha, 122; Hyatt, Gilbert, 60.
J.—Johnston and Purss, 122.
K.—Knowlton, Luke, 123.
L.—Lachance, Charles, 61; La Corne, Marguerite Boucher de Boucherville, widow of Luc de Chapt. de, 123; La Course, Jean Baptiste, 61; Langan, Patrick, 58; Learned, Abel, 123; Le Sieur, Augustin, 61.
Mc.—McCanty, Francis, 122; McGill, James, 57.
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Q.—Quakers, 111.
R.—Rankin, David, 55, James, 61; Rogers, John, 122; Roorback, Barent, 122.
S.—Sax, John, 54; Spencer, Abel, 111; Starke, Henry Bethune, 57; Stubinger, George, 56.
W.—Wheaton, Caleb, 59.

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C.—Caxton, 57; Clapham, 55, 109; Clifton, 54, 56; Compton, 110.
D.—Drayton, 61.
G.—Godmanchester, 53, 54, 55, 60; Grantham, 112; Grenville, 62.
H.—Hereford, 91; Hinchinbrook, 54, 56, 110.
M.—Missisquoi Bay, 110.
O.—Orford, 123; Oulney, 123.
P.—Potton, 55, 56.
R.—Roxton, 110.
S.—Stoke, 110; Stukeley, 123; Sutton, 55, 56.
U.—Upton, 112.
W.—Walton, 111.

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GOV. LORD DORCHESTER, 1796.

Q. 75—1.

1795.
October 16, Quebec. Dorchester to Portland. The letter giving leave of absence to Pownall received; he has had permission accordingly. Enclosures mentioned in dispatch of 6th July have not been received. Page 31

November 3, Navy Hall. Simcoe to Dorchester. Report of the state of the crops. At *Kingston;* diminished by the Hessian fly and summer drought; doubtful if any tenders for flour will be received for the troops. The quality of the wheat better than that of last year. Government can depend on a supply if an advance of fifteen pence a cwt. above the price at Montreal is offered. At *Niagara.* The grain has not turned out as expected before being threshed; scarcity of hands. Prevalence of fever during the late season. At *Detroit.* The price of flour very high, but Colonel England will be forced to purchase at any price. It is doubtful if supplies can be furnished by the Province. The agent for purchases will immediately issue the advertisements and no means will be left untried to obtain the supplies at as cheap a rate as possible. 41

November 28, Quebec. Dorchester to Portland. Has received letter that Prescott is appointed Lieutenant Governor of Lower Canada, and that he (Dorchester) may suit his own convenience in returning. Thanks for the manner in which the appointment was communicated. 39

November 28, Quebec. Same to same (No. 75). Dispatches received. Encloses report from Simcoe on the state of the crops in Upper Canada. 40

December 9, York. Simcoe to Dorchester. Complains that whilst commending his diligence he (Dorchester) is withdrawing the King's troops and thus prevents the formation of towns, &c., in the Province. The letter is a defence of his own conduct and a criticism of Dorchester's measures. 251

(In Dorchester's No. 87, of 17th April.)

December 26, Quebec. Dorchester to Portland (No. 76). A bill has passed indemnifying all who have been concerned in aiding and carrying into execution the proclamation laying an embargo on all vessels laden, or to be laden, with wheat, flour, &c. The failure of the "Phillis," laden with provisions for the winter use of the troops here and in Upper Canada, has compelled resort to the country for fresh provisions, the price of which had before risen considerably; proposes as a remedy for the distress, to admit provisions from the United States, a measure he believes will be satisfactory to the public, and which the necessities of the time require. 46

December —, Quebec. Same to same (No. 77). The death of Fraser has reduced the number of Councillors to thirteen; necessity for an increase. Sends list of members and of eight gentlemen whom he recommends. Remarks on their qualifications. Has omitted the name of the Roman Catholic Bishop Hubert, but seeing that the Protestant Bishop has a seat, he cannot but recommend that the same honour be conferred on M. Hubert. All such royal favours should come spontaneously, and not as the result of noise and tumult, which would clothe the leaders with an importance tending to disturb the tranquillity of these Provinces. 48

Legislative Council as it exists, and additional members recommended. 51

December 26, Quebec. Dorchester to Portland (No. 78). Transmits and recommends the prayer of the petition of the widow of the late Judge Fraser. Suggests that the pension of her mother, Madame Deschambault, which has ceased by her death, may be renewed in favour of Mrs. Fraser. Recommends also a pension to the widow of Panet, who died in 1778. 52

Memorial of Mrs. Fraser, stating her late husband's services. 54

1796.
January 13, Whitehall. Portland to Dorchester (No. 23). Dispatches received. The question of tithes shall be discussed in a separate letter. The power of vestries, &c., of Protestant churches must be the subject of Legislative enactment in conformity with the Act of 1791. The settlement of the complaints of the merchants against Spain depends on whether they were on land to the west of the Mississippi, in which case they were not within His Majesty's dominions. Dispatches sent to the Treasury; Indian treaty with Wayne sent to Grenville. Does not understand the charges made that His Lordship's authority has been interfered with. His answer to the holders of grants in Sorel approved of. For reasons given, believes that the titles should be made in free and common soccage, which would have been done in any case had the grants been made after instead of before the Act of 1791; this, however, is left to His Lordship. Page 1

January 13, Whitehall. Same to same (separate). Desires him to recommend to the Roman Catholic Bishop of Quebec the case of Rev. Mr. Jones, a priest in Nova Scotia. 6

January 14, Downing Street. Report of the Privy Council. That in consequence of the treaty in August last, between the United States and the Indians, Lord Dorchester may be instructed to act in concert with the United States for the transfer of the posts, on receipt of a letter from His Majesty's Minister in the United States that that Government has taken no steps inconsistent with the treaty, and that a clause has been added securing to His Majesty's subjects the right to pass and repass freely into the country south of the boundary line, to carry on their commerce with the citizens of the United States and the Indians. 7

January 15, Whitehall. Portland to Dorchester (No. 24.) Sends copy of the treaty with the United States, ratified by both powers. He is to carry out the stipulations of the 2nd, 3rd and 4th articles in concert with a person authorized by the United States. The 8th article of the treaty with the Indians of August last, appears to militate against the second article of the treaty between the United States and Great Britain. The arrangements under that treaty are therefore, to be provisional and dependent on an explanation which the Minister to the United States has been instructed to require. His Lordship will receive from that Minister information of the result of the explanation, and the posts are not to be evacuated until His Lordship is informed that the explanation is satisfactory, nor should steps be taken by Congress inconsistent with the execution of the treaty. All communications are to be couched in the most conciliatory terms and to manifest the most earnest desire for peace. Copies to be sent to Simcoe. Transmits copies of dispatches from Grenville to Bond. 10

Enclosed. Dispatch from Grenville to Bond, dated Downing Street, January, containing substantially the instructions in letter to Dorchester. 14

Note to be delivered to the American Secretary of State. 24

January 15, Whitehall. Portland to Dorchester (private.) In forwarding to Simcoe copy of No. 24 (p. 10.), such additional instructions are to be sent as may be necessary for his guidance. 30

January 22, Quebec. Dorchester to Portland (No. 79.) Sends naval officer's returns of vessels entered and cleared at Quebec from 10th October to 5th January. 57

January 22, Quebec. Same to same (No. 80.) Encloses copy of proclamation to authorize the importation of provisions from the United States. Notwithstanding this measure, prices continue to rise. 58

Proclamation in English, 59; in French, 63. 59, 63

January 23, Quebec. Dorchester to Portland (No. 81.) Sends requisition for goods for the purchase from the Chippewas of land at the Chenal Ecarté for Western

1796.

Indians, the other on the north side of the River La Tranche (Thames), in compliance with a requisition from Simcoe. Page 67

Requisition. 68

February 20, Quebec

Dorchester to Portland (No. 82). Sends copy of diagram and first grant of the waste lands of the Crown, according to the Act of 1791, as also statement of the expenses to the grantees. Reason for the additional sum of ten shillings on the fees of the Surveyor General. 70

Diagram of Dunham. 71*a*

Patent to Thomas Dunn and associates. 72

Statement of expenses incurred in obtaining a patent for the inland township of Dunham. 105

February 20, Quebec.

Dorchester to Portland (No. 83). Discusses the policy of imposing any charge on the grantees of land to be laid out in defraying the public expenses of the Province in addition to the established fees. How far would it be consistent with the dignity and faith of Government to lay an additional charge on the grantees beyond that fixed and announced by proclamation. 106

February 20, Quebec.

Same to same (No. 84). Sends minutes of Council on State business from the the 10th September, 1795, and on Crown Lands from 8th September, both to 2nd January, 1796. 110

Minutes, 16th November. Appointment of committees and subjects referred to them. 111

Minutes, 19th November. The Bishop (Anglican) takes the oaths and his seat. 113

The Bishop's *mandamus*. 114

Minutes, 12th December. Reports of the judges, &c., for the districts of Quebec and Montreal fyled. List of documents with reports. 116

Reports laid before the Council. 118

Minutes, 19th December. Petitions referred to committees. 119

Minutes, 2nd January, 1796. Report on the Public Accounts, with proceedings of committee and details. 122

Petitions referred to committees. 141

Proclamation allowing the importation of provisions from the United States. 143

Minutes on Crown Lands, 16th November. Lists presented of Associates (names not given), for townships (named) and petitions referred to committee of Council. (The names in the latter are in alphabetical list at the end of this volume.) 144

Minutes, 19th November. 153

Minutes, 12th December. Correspondence respecting the boundary between Upper and Lower Canada. 154

Petitions referred to committee. 161

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Report on Godmanchester, with list of grantees (A). 188

Report on Hinchinbrooke, with list (B). 191

Report on Hemmingford, with list (C). 196

A description follows each report (A. B. C.)

(For names in these and subsequent reports see alphabetical list).

Report on petitions, numbered and unnumbered, with names. 203

List of Associates for several townships (named) and letter from Le Maistre, respecting lands in Gaspé, referred to committee. 209

Minutes, 19th December. Draught of patent, &c., for the township of Dunham to be prepared. 210

Minutes, 2nd January, 1796. Report of Land committee on petitions, memorials, &c., with names and decisions. 212

1796.
February 20, Quebec. Dorchester to Portland (No. 85). In consequence of the increase of the revenue, it has been thought advisable to appoint an inspector of accounts. Coffin has been named to the office, and the Treasury asked to fix a salary. Page 240

Commission to Inspector of Accounts. 242

March 17, Quebec. Dorchester to Portland (No. 86). Dispatches received. Has written to Bond to inform the Government of the United States, that he will be ready to evacuate the posts on the date fixed by the treaty, provided its terms are carried out by the United States. Has already made arrangements for the service, so as to protect the trade, but as these must in some measure depend on those made by the United States, he has asked Bond to send the necessary information. The present condition of things will not justify any scheme requiring a larger supply of money or troops for the upper country, beyond what is necessary for the protection of trade and preservation of peace. 244

April 4, Quebec. Same to Simcoe. Is sorry that the intended distribution of troops does not meet his (Simcoe's) approbation. The present posture of affairs would condemn unnecessary expense, or leaving troops in Upper Canada to advance its growth and prosperity. The impolicy of placing so many troops out of the way in time of war; the expense of such a measure, the enormous abuses in the public expenditure for the last twenty years are not the only objections to this mode of encouraging settlement. A wise administration of justice and natural advantages are found sufficient to raise Provinces to importance without large expenditures. Has no intention to authorise expensive permanent works, but reserves should be made round every place likely to become of consequence. Sends sketch of the application of this plan to Toronto or York. The Adjutant General will transmit preparatory orders for the distribution of troops after the evacuation of the post. 261

(In Dorchester's, No. 87 of 17th April).

April 4, Quebec. Order for the distribution of troops, signed by George Beckwith, Adjutant General. 264

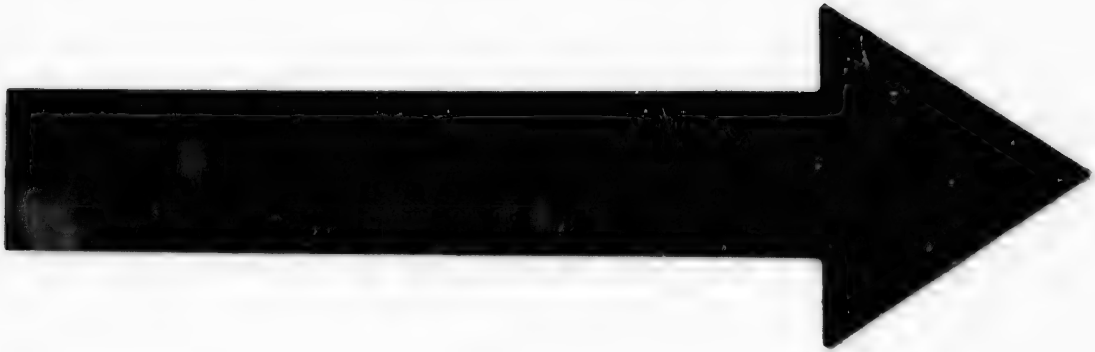
April 7, Whitehall. Portland to Dorchester (No. 25). Introduces Lieut. General Prescott, appointed Lieut. Governor of Lower Canada, and Commander-in-Chief of the Forces in North America. The "Quebec," carrying Prescott, has orders to receive His Lordship and suite. All instructions to be given to Prescott, and should circumstances prevent or postpone the final arrangements with the United States for the evacuation of the posts, all information is to be given to Prescott on the subject, and on all proceedings which may have taken place with the United States Government on the points mentioned. The military stores in the posts unquestionably belong to His Majesty, and are of importance for such new posts as may be formed on the British side of the boundary line. 32

April 7, Whitehall. Same to Prescott (No. 1). Sends commissions as Lieut. Governor of Lower Canada, and Commander-in-Chief in North America. Should the posts not be evacuated when Lord Dorchester leaves, he is to get full information regarding past proceedings, the situation of affairs, &c., and such other details as are necessary to enable him to promote His Majesty's interests and the good government of the Province. 35

April 9, Whitehall. King to same. Sends proposal by Lieut. Colonel Stephenson for raising a Negro legion of 1,000 men to serve in the Canadas. To consider and report on the proposal. 37

April 12, Whitehall. Same to same. Orders have been sent to Admiral Sir Peter Parker to detain the "Active" till the arrival of several ships from the river to proceed under convoy. 38

April 17, Quebec. Dorchester to Portland (No. 87). Differences of opinion between him and Simcoe as to the distribution of troops in Upper and Lower Canada.



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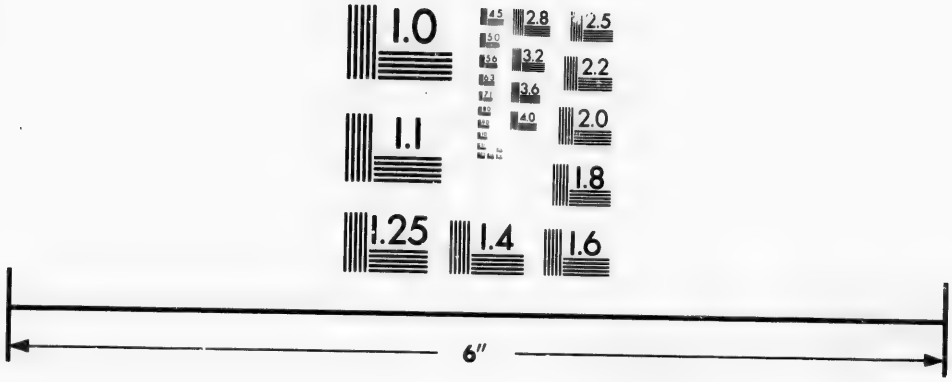

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1796.

Sends Simcoe's reasons. He (Dorchester) has sent orders on the subject. The arrangement of the troops, should no alteration be required by the evacuation of the posts; (the arrangement given). The object is to form a rendezvous for the Indian traders, where they may meet the merchants or their agents from Lower Canada. This commerce has hitherto been carried on at Michilimakinak in June, when about 800 persons, besides Indians, assembled. A block-house may be necessary on Cariboux Island; in the meantime he has sent only an officer and a few men. An engineer is to go up who will also view the rapids at St. Mary's and give his advice to the North West Company respecting a road they project. The transport being lessened by the removal of the troops, the Marine will be proportionately reduced. Sends sketch of the Falls of St. Mary with Cariboux Island, Michilimakinak, &c. Quebec requires attention, all besides require little expense; a block-house at Isle aux Noix and one at St. John's appear to be sufficient. These are the general points on which he will instruct his successor. It would be an advantage were all the block-houses on the frontier garrisoned by incorporated militia, the Canadian Volunteers might serve as a basis for that purpose. Desertion from the regulars would be more difficult; the people of the Province would learn that disputes and bickerings on the frontier were their own immediate concern and be taught to defend themselves, and would entertain a more just esteem for the protection they receive from Great Britain. Page 246

Sketch of the rapids of St. Mary, including Cariboux Island and Michilimakinak (264*a*) part of the entrance of the Detroit river (264*b*) two of Niagara river (264*c* and *d*) 264*a* to 264*d*

GOV. LORD DORCHESTER, 1796.

Q. 75—2.

1795. October 24, Detroit.

McKee to Chew. Has returned from a council on the Thames and Chenal Ecarté and entered into a provisional agreement with the Chippewas for the purchase of twelve miles square at Chenal Ecarté for the residence of the Western Indians; about 2,000 or 3,000 may settle there. The Chippewas the only proprietors; their cheerful consent to the sale. The satisfaction of the Ottawas, &c., at the situation and the desire for an early settlement. Page 474

1796. April 23, Quebec.

(In Dorchester's No. 97 of 18th June, 1796).

Dorchester to Simcoe. Shall delay evacuating the posts until there is a satisfactory assurance that the additional articles relating to the Indians shall be fulfilled by the United States. 471

(In Dorchester's (No. 97 of 18th June).

April 30, Quebec.

Dorchester to Portland (No. 88). Dispatches communicated to Simcoe. (See Q. 75—1 pp. 14, 24, 30). The treaty with the United States communicated to the Council and Assembly. The Legislature had passed an Act for the temporary regulation of trade between the Province and the United States. Proposes to dissolve the present legislature. The proceedings of the present House have been conducted with good sense and unanimity. 271

Message to the Legislature transmitting copy of treaty between Great Britain and the United States. 273

Address on receipt of the treaty, from the Council (p. 274), from the Assembly (p. 276). 274, 276

April 30, Quebec.

Dorchester to Portland (No. 89). Transmitting memorial from the widow of the late Lieutenant Colonel Morris, of New Jersey. 277

Petition enclosing memorial. 278

1796.

Memorial. Page 279

Certificate by the Bishop of Nova Scotia and others. 283 to 288

April 30, Quebec. Dorchester to Portland (No. 90). Sends minutes of Council from the 3rd of January to the 7th of March. 289

Minutes, 13th February. Additional reports on the Public Accounts with proceedings, details, &c. 290 to 364

May 10, Philadelphia. James McHenry, U. S. Secretary of War, to Dorchester. He has been desired by the President to communicate that the provisions of the treaty have been duly made by the United States. Captain Lewis instructed to arrange for taking possession of the posts. His pleasure at the good understanding between the two countries. 451

(In Dorchester's No. 95, of 11th June).

May 14, Quebec. Dorchester to Portland (No. 91). An exemplification of the Acts passed during last session; now sends copy of the consolidating Act which he has reserved. Arrangements for the disposal of the duties imposed by the Act of 1774. Copy of bill consolidating acts respecting duties passed by the Assembly but rejected by the Council. Objection to the third article of the treaty with the United States, which gives greater privileges to American commerce than to that of British subjects. Calls attention to the enclosure relating to what is said respecting the importation of wines, which may be applied to all articles imported from Great Britain, when a part of the original duty is retained there. 365

Copy of the reserved Act consolidating the duties. 368

Statement of duties collected in accordance with various Acts, Imperial and Provincial, the statements being given separately. 403 to 408

Copy of the Act granting new rates and duties which was rejected by the Council. 409

Statement of duties collected under various Acts, with duties proposed to replace the old ones. 425

Memoranda regarding the Revenue Bill passed by the Legislature of Lower Canada, session 1795–6, and the commercial treaty with America. 426

May 20, Navy Hall. Simcoe to Dorchester. That as an officer he has nothing to say respecting the distribution of the troops ordered by the commander-in-chief. He had never thought of placing troops so far away as Bois-blanc. Criticises the charge of abuses in the public expenditure, laments that the proposals he made to correct such abuses were not approved of; it is incumbent on him to represent that no former or uncorrected abuses ought to occasion the public to cast an averted eye on this Province. "Were I in the least inclined to accede to Your Lordship's opinion, that "the advancement of the growth of a colony by the proper disposition "of the troops therein, has at all times been evinced to be an erroneous "principle, I should certainly not admit it, in respect to the present "state of affairs, nor as it regards Upper Canada." Is still in ignorance of the principle on which the buildings at Navy Hall are to be constructed; asks for instructions. Respecting the military and civil reserves. Desires to know the strength of the detachment of Canadian volunteers to be sent to the Province and where it is to be stationed; 50 or 100 men should be established at Penetanguishene; the average passage of troops from York to there is six days; stores and provisions can be sent round by Lake Erie. Comments on his (Dorchester's) military arrangements when he is on the point of leaving, which blight all his hopes and defeat the measures approved of by His Majesty's Ministers. Had he known that these were to be checked, counteracted and annihilated, he would have been dishonest to the public and it would have been dishonourable to himself not to have requested permission to resign. 462

(In Dorchester's No. 96 of 11th June.)

1796.
May 26, Quebec.

Dorchester to Simcoe (No. 52). Cannot comprehend how any difficulty can arise with the Indians; not an acre of their land will be taken till they are satisfied. If the Five Nations choose to hold the tract on the Grand River under the title given by Haldimand, no other should be forced upon them; it would be very impolitic to enter into a dispute respecting land given them as a reward for services. A purchase once made of Indian land for the King's service, the distribution depends on the local government; he shall give every facility for the purchase of such lands in Upper Canada as he (Simcoe) shall think the King's service may require. Page 476

(In Dorchester's No. 97 of 18th June).

May 28, Quebec.

Dorchester to Portland (No. 92). Sends copy of petition from Percé, Point St. Peter's and Gaspé, in the Bay of Chaleurs, complaining of the detriment to their trade and families by new regulations of the Customs, prohibiting the importation of British goods shipped from Nova Scotia in accordance with the clause, "that no European goods, even the pro-"duce of England and shipped from London can be carried from one "colony to another. The petition is an additional reason for the repeal of "the statute on which the regulation is founded, and of all the other statutes "which under the treaty place His Majesty's colonial subjects in a less "favourable situation than those of the United States." 431

Petition, with signatures. 433

Ryland (secretary) to Ainslie, Collector of Customs, for information in regard to the regulation complained of. 436

Ainslie explains that the law was put in force in consequence of the seizure at Jamaica of a vessel containing a case of hats and five crates of earthenware from Liverpool, transhipped at Quebec; on this occasion he referred to the Board of Customs, by which he was ordered to enforce the law. 437

May 28, Quebec.

Dorchester to Portland (No. 93). Dispatches received. Remarks on the conduct of Osgoode, the Chief Justice, and on the system of government. "This unnatural disorder in our political constitution, which "alienates every servant of the Crown from whoever administers the "King's Government, leaving only an alternative still more dangerous, "that of offending the mass of the people, cannot fail to enervate all the "powers of the British Empire on this continent and render it unable "to resist any of those commotions to which every government is sub-"ject in the ordinary course of human affairs." 439

Copy of Dorchester to Dundas, dated 31st December, 1793. (See No. 12 in Q 67, p. 45). 441

May 28, Quebec.

Dorchester to Portland (No. 94). Has received word from Bond, that appropriations have been made by the Government of the United States for carrying the treaty into effect, and that the additional article relating to the Indian treaty has been ratified. Captain Lewis has arrived from the United States to make arrangements for the delivery of the posts. Lewis has asked for delay till the arrival of United States troops to occupy them. Has written to Liston with information of the regulation of duties to be paid by subjects of the United States on goods imported in accordance with the treaty. A copy of letter to Liston enclosed. 446

Letter to Robert Liston, His Majesty's minister plenipotentiary, referred to. 448

June 1 and 2, Quebec.

Beckwith to commanders of posts. That these are to be delivered to the officer of the United States army, who shall produce proper authority. Arrangements for the transfer, &c. 457, 458

(In Dorchester's No. 95, of 11th June).

1796.
June 3, Quebec. Beckwith to McHenry. That the necessary orders have been given for the evacuation of the posts, but troops are to be left for the security of the works until the United States troops are ready to take possession; the guards will, however, be withdrawn in a few days from the posts on Lake Champlain and at Oswegatchie, not much importance being apparently attached to them. Dorchester trusts that the most solid and lasting friendship may be established between the two countries. Page 453

(In Dorchester's No. 95 of 11th June).

June 6, Quebec. Dorchester to Liston. He had passed over irregularities at St. John's on the importation of goods, and given instructions to admit importations, taking security for the payment of duties to be established. The arrangements made with Lewis to retain a guard at the posts till United States troops should be ready to occupy them. 455

(In Dorchester's No. 95 of 11th June).

June 9, Quebec. Dorchester to Simcoe. His observations on the measures he (Dorchester) has been carrying on shall be transmitted to the Secretary of State. Has no doubt Prescott's conduct will also be directed by his own judgment or by orders from competent authority. There is a mistake to be cleared up; he does not understand how the Lieutenant Governor can be interfered with in his public duties by the Commander-in-Chief and must suppose, till further explained, that the Commander-in-Chief is as little under the authority of the Lieutenant Governor. No more posts are to be established, than are already ordered; he purposes sending to Kingston as many Canadian volunteers as may be necessary before ordering down the detachment of Royal Americans, unless Prescott can show him reasons to the contrary, and for leaving that duty to be performed by the Queen's Rangers. 467

(In Dorchester's No. 96 of 11th June).

June 11, Quebec. Dorchester to Portland (No. 95). Dispatches received. Sends copies of correspondence respecting the evacuation of the posts. Captain Lewis has returned to Philadelphia, taking with him the orders to the respective officers of the posts. 450

June 11, Quebec. Same to same (No. 96). Is sensible of His Grace's readiness to support the King's Government in the Province, but the disorganization of the command was too far gone for remedy under his (Dorchester's) administration, when His Grace came into office. The encouragement to disorder shown by public censure rendered it necessary he should retire, even if he had not found the old colonial system strengthened; all his endeavours to show its ruinous consequences but increased the zeal of its supporters. He could only state these dangerous arrangements and point out instances requiring more immediate attention. The enclosure (A) is another instance and appears to deserve further notice than his answer; the notice should come from a higher authority. 460

June 18, Quebec. Same to same (No. 97). No time has been lost in preparing the minds of the Indians for the evacuation of the posts; they have been impressed with a due sense of the attention paid to their interest. Can see nothing to complain of but the contrary, as the treaty has relieved them from the servitude they had submitted to in their treaty with Wayne. The Western Indians are satisfied with the land purchased for them on the Chenal Ecarté, to which 2,000 or 3,000 were to remove in spring. There is some appearance of discontent among the Five Nations, but as it is only on account of the mode of holding the land, does not doubt it will soon be removed. Has written Simcoe on the subject. 469

June 18, Quebec. Same to same (No. 98). Sends minutes of Council on State business from 8th March, to 23rd May, and on Crown Lands from 3rd January to 11th May. 478

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23rd May. Minutes, 23rd May. Respecting merchandise from Skenesborough seized at St. John's. 504

Minutes on Crown Lands, 2nd April. Warrants of survey for Brome and Upton, and other matters referred to a Committee. 506

Plans of the Province and special plans. 508

Report on Coffin's application for the Magdalen Islands, with correspondence. 509

June 22, Whitehall. Portland to Dorchester (No. 26). Authorizes an allowance of £100 a year for a clergyman at Caldwell's and Christie's manors, provided the situation is suitable and that the people give the £25 annually, as promised. The people should be reminded that they should make suitable provision for their own clergy and that the Government allowance should only be considered as temporary. Considerations as to giving the title of Archdeacon to the Anglican Bishop's commissaries, and as to giving the Bishop power to grant marriage licences. Asks His Lordship's consideration and that he submit the letter to the Bishop. 265

July 7. Whitehall. Same to same. Sends explanatory article to the treaty with the United States, ratified by His Majesty and the Preside 270

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GOV. LORD DORCHESTER, WITH JOURNALS OF LEGISLATIVE COUNCIL.
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1796. May 29. Navy Hall. Simcoe to Dorchester. For instructions as to the conduct to be observed by the officer commanding at Isle Bois-blanc, on which batteries are ordered to be built, should the United States offer to take possession. Page 120

(In Dorchester's (No. 101 of 5th July.)

June 13. Quebec. Beckwith to Simcoe. A sergeant and eight men to be posted on the Island Bois-blanc, and not to be withdrawn without a special order of the Commander-in-Chief. 121

(In Dorchester's No. 101 of 5th July.)

June 13. Quebec. Dorchester to Simcoe. Has no apprehension that any any attempt will be made by the United States to take possession of Isle Bois-blanc, but should any difficulty arise it will be settled amicably. The batteries marked are all on the British side of the treaty line and Colonel Mann is distressed at the inference to be drawn from his (Simcoe's) statement that the island is within the United States line. His (Mann's) tracing of works and batteries is only to show his opinion of the ground proper for military purposes, and the yellow line denotes the reserve it might be advisable to make. 122

(In Dorchester's No. 101 of 5th July.)

June 18. Quebec. Dorchester to Portland (No. 99). Sends exemplification of the Acts passed at the last session with journals of the Council and Assembly. 1

Journal of the Legislative Council beginning on 20th November, 1795, and ending on the 7th May, 1796. 2 to 110

Journals of Assembly for the same date not copied, the printed report being here. 111

June 19. Quebec. Dorchester to Portland (No. 100). Had received dispatch brought by Prescott. Everything relating to the treaty has been satisfactorily settled and measures taken for the evacuation of the posts. Every information in his power shall be communicated to Prescott. If there is nothing to detain him he shall sail by the frigate that brought Prescott. 112

June 25. Quebec. Same to Commissioners of Customs. Demand for necessaries wanted for the office, made by the Collector of Customs. Being new, inquiry was made as to the cause of the demand; orders given to make no unusual or unnecessary expense in the collection of duties. Desires advice with regard to the future management of this branch of the revenue, which may be expected to become much more productive than heretofore. Being dissatisfied with the payments made by the Collector of Customs to the Receiver General, the Governor and Council gave orders that an account should be sent to the clerk of the Council of all moneys collected, to ascertain the deductions; it was then found that the revenue was diminished by 13½ per cent before being paid over by the collector, in addition to his salary and fees and emoluments granted by Act of Parliament, and the incidents allowed by the commissioners. The unauthorised charges are still continued, besides a profit on the duties paid in silver of about 5½ per cent. Enters into details on the subject, showing the manner in which charges are made and the consequent diminution of the revenue to the profit of the officers, who consider the office hours to be from 10 to 1 o'clock, double fees being taken for duty performed over and above these three hours; additional charges made for gauging, measuring, &c., for duties levied in accordance with separate Acts, although the gauging, &c., were ascertained already. Is far from think-

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ing that the services of the collector and other officers of Customs should not be tiberally paid for, but whatever is granted in addition to their fees should be fixed and not left to the discretion of officers who recognize no control in this Province over the disposal of public money. Page 127

July 5, Quebec. Dorchester to Portland (No. 101). Simcoe has asked instructions as to his course should a demand be made for Isle Bois-blanc and Cariboux Island, which he believes to be within the limits of the United States. Orders sent. 119

July 5, Quebec. Beckwith, Adjutant General. Order that a sergeant and 12 men are te take post on the Caribou or St. Joseph's Island, and are not to be withdrawn without special orders. 124

July 5, Quebec. Dorchester to Portland (No. 102). Sends copy of a communication to the Commissioners of Customs, asking how the business can best be arranged for the King's service. The great ends of sovereignty cannot be attained, if the local administration be warped and made subservient to fees, profits, perquisites and all their dirty train. The splendour of the Crown is sullied and the national interests sacrificed to gentlemen who possess or are looking out for good places for themselves and their connections, and practices are thus introduced which besides enervating the King's authority must infallibly alienate the affections of the people from the British Government. 125

(No. 103 of 5th July, in Q. 77, p. 85, and No. 104 of 8th July at page 173 of the same volume.)

July 8, Quebec. Dorchester to Portland (No. 105). Transmits plan of part of Lower Canada with book of reference. 134

Book of Reference.

1. To the French grants. North side of the River St. Lawrence. 136 to 178

2. French grants in the tongue of land between the Ottawa and St. Lawrence. 179

3. South side of the St. Lawrence, district of Montreal. 180 to 211

4. French grants that have their dependence on the River Chaudiere. 211 to 214

5. French grants on the Yamaska. 215 to 217

6. French grants on the Sorel. 217 to 220

7. County of Huntingdon. 220, 221

8. New grants or townships ordered to be laid out since 1792 on the north side of the Ottawa. 222 to 229

9. North side of the St. Lawrence, townships District of Montreal. 230 to 232

10. The same. District of Three Rivers. 233, 234

11. The same. District of Quebec. 234 to 236

12. The same. Tongue of land between the St. Lawrence and Ottawa. 237

13. South side of the St. Lawrence, south of Lake St. Francis. 237

14. The same. Townships east of the Sorel. 238 to 245

15. The same. District of Three Rivers. 246 to 252

16. Townships on the west side of the St. Francis. 253 to 256

17. The same on the east side of the St. Francis. 256 to 262

18. The same on the Becancour, south and north sides. 262 to 266

19. District of Quebec. Townships on the west side of the River Chaudiere. 266 to 269

20. The same on the east side of the Chaudiere. 269 to 272

August 3, Whitehall. Portland to Prescott (No. 2). Dispatches from Dorchester (75 to 87, and 91 to 100) received. Authority given to summon Sir John Johnson and M. de Lotbinière jun. to the Council. Does not see that it would promote either the temporal or spiritual interests of His Majesty's

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Catholic subjects, to give Mgr. Hubert, the Catholic Bishop, a seat in the Council. Mrs. Fraser may receive a pension, not to exceed that given to her late mother (Madame Deschambault). Should Mrs. Panet stand in the same need of support, the amount (£200) may be divided between her and Mrs. Fraser. The Treasury has been desired to send goods to Quebec as speedily as possible for the purchase of the Chippewa lands. The public accounts of Lower Canada have been hitherto so ably conducted, that although he does not object to the appointment of an Inspector, yet he strongly desires the same system should be continued by the Board as hitherto. His satisfaction in learning that the necessary steps had been taken by the American States for carrying the treaty into execution, and arrangements made for the evacuation of the posts. The consolidating Acts and other documents relating to duties laid before the Treasury. Attention to be paid to the prevention of fraud by small vessels trading between Quebec and Montreal. Urges that the formation of the two Canadian battalions be encouraged in every way, and the adoption of some regular plan for placing the Church and Crown lands on such footing as shall secure them from encroachments, and render them profitable. A vigilant attention to the public expenses of Lower Canada. Page 113

GOV. LORD DORCHESTER AND LIEUT. GOV. R. PRESCOTT, 1796.

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1795. November 16, Quebec. Bishop (Anglican) of Quebec to Portland. Instruments for his appointment to the Executive Council of Lower Canada received. The object of his desiring the appointment; his thanks. Page 229

November 27, Quebec. Same to same. Has been summoned to the Executive Council. Mr. Stuart has received his salary as commissary, but Mr. Toosey has not yet heard of his being put on the Quebec establishment. Calls attention to land granted in Vermont to the Society for the Propagation of the Gospel which has been confiscated, and also to an estate in Great Britain, called Brafferton, still applied to the purposes of the college in Williamsburg. 307

1796. January 8, Quebec. W. Grant to same. That the Protestant clergy cannot collect tithes, unless the power shall be conferred by Legislative enactment. 226

March 2, Quebec. Cuthbert to King. It is a long time since he sent his memorial to be laid before Portland. His quarrel with Haldimand leading to the dilapidation of his property. The acknowledgment of the justice of his claim, but the delays in getting a settlement caused by the various excuses of the Governor General (Dorchester). Other rights from which he has been debarred. 231

March 12, London. Observations suggested by Cuthbert to King, respecting his claims. 236

March 12, Mark Lane. Phyn, Ellice and Inglis. Transmit memorial of merchants trading to Canada, calling attention to previous memorials on the Indian trade. 239

Memorial on the Indian trade and praying for the appointment of Fraser to succeed Campbell, deceased. 240

March 16, London. Cuthbert to Portland. Complains of the delays caused by his memorial being sent from one department to another. His claim to a baronetcy for his services at Three Rivers. Desires also to be reinstated in his office of Councillor, or to state why he was left off. Should he return to Canada without redress, the people would think he had been guilty of a

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crime. Complains besides that in seven seigniories he possessed the right of high, low and middle jurisdiction, which have been taken away without indemnity. Prays for an amicable adjustment. Page 244

March 19, London. Ira Allen to Portland. Calls attention to two memorials he had sent proposing to open a canal and praying that the state of Vermont might be permitted to navigate from Lake Champlain through the St. Lawrence to the Atlantic. Additional reasons adduced for the measure. Combats the idea that the measure will tend to disseminate republican principles. The power does not, as represented by King, reside in the Legislature and Government of Lower Canada, but in His Majesty's Ministers. 247

April 4, London. Cuthbert to same. Complains that his case has been entirely neglected and justice refused him. His only course now is to apply to the Court of Chancery. 251

April 16, Quebec. Ainslie to Dundas. Transmits resolutions of Assembly affecting the acts of navigation. Had transmitted similar resolutions to the Board of Customs. 326

Resolutions of Assembly, dated 15th April. 327

April 19, London. Sir John Johnson to Portland. Submits a statement of his services for consideration. Desires an early interview as he leaves in eight days. 255

Statement by Sir John Johnson referred to. 256

The documents in support of Sir John's claim include letters from Haldimand in 1784 (pp. 264, 266); statement of his lands confiscated by the State of New York, with account sales (268 to 288); certificate by the Board of Claims of the amount to which he was entitled (289); letter from Henry Motz, Secretary to Dorchester, respecting the Executive Council (290); other letters respecting the same (293 to 296). 264 to 296

May 6, Whitehall King to Sir John Johnson (private.) Is sorry he had lost his passage. The rule as to passages is rigidly observed; will, however, use his personal influence. Believes that Portland is desirous to bestow a title of honour on him (Sir John). The steps to be taken to obtain the succession to his son. In the succession to Campbell, Portland will be guided only by considerations of fitness. 301

May 17, Whitehall. Portland to the Bishop (Anglican) of Quebec. Several of the subjects in his letters have not yet been considered. Orders given for the salary to be paid the clerical commissioners. If these have not been paid it arose, no doubt, from the failure to appoint an agent to receive the amount. He (Portland) has answered directly, but reminds the Bishop that all official communications must be made through the Governor General or the Lieut. Governor in his absence. 297

May 7, Portsmouth. Sir John Johnson to King. Is concerned that his not being in the situation to which it was thought his services would entitle him should preclude him from an indulgence which would be of essential service. Thanks to King for his offer of personal intervention; he only hopes to have a passage by a store ship or merchant man going under Sir James Wallace's convoy. His desire to send his son among the Indians to qualify him, which he would not do without the certainty of his appointment. His nephew (Claus) is best qualified to succeed Campbell. 304

June 7, Lambeth House. Archbishop of Canterbury to Portland. Had received communications from Simcoe to the Bishop of Quebec and from the latter to Portland. The proposal to change the name of commissary to that of Archdeacon is reasonable. Suggests that the application of the Bishop of Quebec for power to issue marriage licenses should be referred to the Law Officers of the Crown. Another reason for this and for considering all points, is the amount of revenue involved should a change take place. At the same time, if jurisdiction could be given to the Bishop, many irregularities

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might be prevented. Believes that from the dearness of provisions &c. the missionaries should receive a fair salary to enable them to meet their wants, and this would be attended with essential advantages. Page 322

July 5. Quebec. Dorchester to Portland (No. 103). Respecting the steps taken to check defalcations in the Indian Department at Niagara. Documents enclosed. Provisions issued contrary to the regulations to persons not belonging to the Army or Military departments. Accounts sent to Simcoe charging these issues to the Province, with the choice of paying them or referring the question to the Treasury. Simcoe has chosen the latter course. 85

Correspondence, tabular statements and various documents relating to the defalcations in the Indian stores at Niagara. 87 to 172

July 5. Quebec. Prescott to Portland (No. 1). Before his arrival Dorchester had arranged every thing for the evacuation of the posts, of which His Lordship will send a report. Has received from him all the information necessary for His Majesty's service. 175

July 7. Jersey. General Gordon to same. Transmits a paper from some emigrants on the island, and desires to be honoured with His Grace's commands. 331

Memorial (in French) that a society of French gentlemen desire to go to Canada, near Montreal, and ask:

1. The quantity of land which would be granted them.
2. If they would be furnished with agricultural implements and other necessaries for clearing.
3. If they may hope to obtain lodging, and
4. A small number of work oxen.
5. If any funds are available for their support, whilst waiting for the first crops.
6. If they would be furnished by Government with transport to their destination. 332

July 8. Quebec. Dorchester to Portland (No. 104). Bills of lading and invoices for goods for the Military department shipped on board the "Jane," also invoices for clothing for the Canadian volunteers. Arrival of a vessel from Nova Scotia with clothing supposed to be for the volunteers and militia. 173

July 8. Quebec. Same to same (No. 106). Sends copy of Order-in-Council regulating the trade between the Province and United States and of the order to the Customs at St. John's. These are calculated to convince the Americans of the good faith exercised in the carrying out of the treaty. Desires that such regulations may be adopted by the Imperial Government as will place His Majesty's Colonial subjects on at least an equal footing with citizens of the United States. 2

Copy of order to the Chief Officer of Customs at St John's. 3

Order-in-Council referred to. 4

Proclamation calling the Legislature together. (English 24; French 26). 24, 26

July 8. Quebec. Dorchester to Portland (No. 107). Sends minutes of Council on State business from the 24th of May to the 1st July and on Crown Lands from the 13th of May to the 27th June. 28

21st June Minutes, 21st June. Appointment of Prescott announced; his commission read. 29

Report on trade regulations laid over. 32

to Report on public accounts, with proceedings and details. 33 to 54

Minutes, 24th June. Petitions by Seigniors of Restigouche and Port Daniel referred to Committee. 54

Minutes, 27th June. Respecting customs regulations. 55

1st July. Minutes, 1st July. Ryland sworn in as Clerk of the Executive Council. 56

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June 24, Minutes of Executive Council on Crown Lands, 24th June. Report on the boundary between Upper and Lower Canada referred to committee. Page 58

Report on letter from the Lieut. Governor of Gaspé, enclosing petitions, &c., with correspondence. 59 to 66

Report on warrants of survey for Brome and Upton. 67

Questions referred to Committees. 68

Reports of Land Committee on petitions. 59 to 78

(The names of petitioners are in alphabetical list at the end of the calendar of this volume.)

July 8, Quebec. Dorchester to Portland (No. 108). Sends naval officer's returns of vessels entered and cleared at Quebec from 5th April to 5th July. 79

July 8, Quebec. Finlay to King. Sends memorandum of a conversation he had with Dorchester, respecting the office of Clerk of the Crown in Chancery. If the land reserves in each township could be put under his care, the business might be compensated by a fee, a fixed salary, or a certain portion of land; he would prefer the latter. The advantage this would be to himself and to the public. The Clergy Reserves might perhaps be more properly placed in charge of some person belonging to the Church. 349

Memorandum of a conversation between him and Dorchester, respecting the office of Clerk of the Crown in Chancery. 352

July 13, London. J. Brickwood to King. That he has requested Colonel Fraser to call on him (King). Elmsley has promised to fix a day with him (King) to dine with him (Brickwood). 334

Memorial of the merchants trading to Canada in favour of Fraser to succeed to the office vacant in the Indian Department. 335

July 23, Quebec. Prescott to Portland (No. 2). Does not think Colonel Stevenson's proposal to raise a negro legion is practicable, nor would he consider such a measure expedient. 179

July 23, Quebec. Same to same (No. 3). Has appointed Major Bunbury to be deputy agent for Indian affairs in Lower Canada; his services. The arrangements for the control of the department; has given Bunbury a military commission. 181

July 23, Quebec. Same to same (No. 4). Sends minutes of Council on State business from 1st to 12th July. 183

1st July Minutes, 1st July. Attorney General ordered to prepare a report on the regulations of trade with the United States. 184

Minutes, 5th July. Attorney General's report received. 185

to Petitions for allowance to export flour and biscuits, received and laid on the table for consideration. 186

Regulations respecting trade with the United States approved of, to be printed and circulated. 187

Other subjects laid over. 189

12th July. Minutes, 12th July. Oaths of Judge of the Court of Appeal and of office taken by Prescott. 190

Proclamation continuing the officers of Government in their respective offices and employments. 191

Resolution not to comply with the petition for leave to export flour and grain. (See p. 186.) 192

August —, Whitehall. Portland to Prescott. Owing to the equivocal proceedings of the Court of Spain, he is to make provisional arrangements for the defence of the Province. 81

August 6, Quebec. Prescott to Portland (No. 5). Sends report of survey on the goods for Indian presents, imported by the brig "Earl of Marchmont." Part of the goods of an inferior quality and charged at too high a rate, others are unfit for service. 195

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Report of survey. Page 196

August 6, Quebec. Prescott to Portland (No. 6). Sends requisitions for clothing, colours, accoutrements and knapsacks for the two battalions of Royal Canadian Volunteers. 198

Requisitions. 199 to 206

August 15, London. Ira Allen to Portland. His return from the continent; again calls attention to the petition for leave to cut a canal from Lake Champlain to the St. Lawrence. Is anxious for an early and precise answer, as he must return to America. 339

August 24, London. Coutts & Co. to King. Desire to know whether General Clarke's salary as Lieut.-Governor is to continue till his successor is appointed. 341

August 25, Whitehall. Portland to Prescott (No. 3). Major General Clarke's salary as Lieut. Governor of Lower Canada to be paid up to the midsummer of 1795, when it is to cease. 80

August 30, London. Beckwith to Portland. Had called with note (enclosed) respecting the loss of the "Active" frigate, in which Lord Dorchester was returning. Sends also copy of Order in Council respecting trade with the United States. 343

Memoranda of the loss of the "Active" on the 15th July, on the west end of Anticosti, everybody saved and many of the stores and provisions. Lord Dorchester and family had left in a schooner for Percé. The "Pearl" frigate will remain to save stores, and afterwards carry Dorchester from Percé to Halifax. 345

September 2, Quebec. Bishop (Anglican) of Quebec to Portland. Apologises for writing direct; his reasons. The office of Executive Councillor is held by him without salary. The order to pay the Commissary for Lower Canada has never reached Dorchester. He (the Bishop) shall govern himself by the instructions respecting the appointment of a financial agent. 356

September 3, Quebec. Prescott to same (No. 7). Lord Dorchester had sent copy of the first grant of the waste lands of the Crown; it was intended to proceed speedily with the settlement, but His Grace's letter marked private, of 6th September, 1795 (see Q. 72, p. 429), led His Lordship to stop all further grants until he learned the decision on the objections to the proposal of a sum to be paid by the grantees, in addition to the established fees. Laments that he has not yet learned of the decision. The importance of settling the waste lands; shall proceed to make such grants as the faith of Government has been pledged to. The others he shall reserve for further consideration. 207

September 3, Quebec. Same to same (No. 8.) Sends list of Legislative Councillors; their number is less than the act directs. Dorchester has recommended gentlemen for the vacancies; is anxious to learn the decision. The return of members for the Assembly completed; the great majority are Canadians, several of a rank and description ill suited to the situation. It is, on this and other accounts, of consequence to have a decided majority of English members in the Council; recommends, therefore, in addition Jenkin Williams and H. W. Ryland. 209

List of the present Legislative Councillors and of those recommended. 211

September 8, Quebec. Prescott to Portland (No. 9.) Sends letter from the Commissary General representing the failure of a part of the supplies for the forces in Canada, with a return of the provisions hitherto received. 212

Craigie, Commissary General, reports the capture of a victualler and the arrival of another in ballast, having landed her provisions at Halifax; the reasons given by the master of the vessel for landing his cargo. The reduction made by the Treasury; the failure in receiving the remainder leaves room for serious apprehension. 213

Return of provisions received. 215

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September 8, Whitehall. Portland to Prescott (No. 4.) Dorchester's dispatches received. The King's satisfaction at the wisdom and unanimity of the Legislature of Lower Canada. Documents respecting the Customs transmitted to the Commissioners. Until the limits of the treaty line are ascertained, the main object to be attended to in fixing lines of communication, is to select such as shall secure the passage of the Indian trade. Should any doubt exist as to the side of the line on which the forts selected shall fall, they should at least be so circumstanced as not to occasion any difficulty to trade in changing them. The Order in Council for regulating trade is approved of. Page 82

September 9, Quebec. Prescott to Portland (No. 10.) Serious fire in Quebec; the church and convent of the Recollets burned; these would have fallen to the Crown on the death of the Superior, who is very aged and infirm. He wishes Government to take immediate possession and make a moderate provision for himself and the few lay brothers remaining. The Roman Catholic Bishop has offered the use of the Jesuit chapel for Protestant service. 216

September 10, Lincoln. T. King to John King. Mitchel may be reckoned on as an excellent Canadian Church Militant recruit. Has no doubt he (T. King) could raise a respectable company for the same service. Respecting his (John King's) proposed resignation of office. 354

September Lambeth. Petition of Mrs. Reichell for relief, her husband having died of a broken heart from his services being rejected, after he had come from Russia, to be sent to Canada to establish the cultivation of hemp. 347

October 4, Whitehall. Portland to Prescott (No. 5). Dispatches laid before the King. Is glad that measures have been taken to correct abuses in the Commissariat. Has sent letter (No. 104) to the Treasury, requesting that directions be given relative to the stores to be sent in future to Canada. 176

October 4, Whitehall. Same to same (private). Arrival of Dorchester. As soon as there is an opportunity of communicating with Dorchester and Simcoe (hourly expected), the commission shall be prepared for him (Prescott) either as Governor, in the terms of Dorchester's commission, or for Lower Canada only, according to the determination arrived at. 178

October 22, London. Robert Hunter to Portland. Reminds His Grace of the application made by the merchants trading to Canada on behalf of Colonel Fraser. 361

October 31, Whitehall. Portland to Prescott (No. 6). Respecting the appointment of Bunbury to be Deputy Agent for Indian affairs in Lower Canada; two have been already recommended. The importance of the situation. No decision will be come to till Dorchester's views are ascertained. He (Prescott) is also to report. Reports respecting Indian goods sent to the Treasury, with instructions to check abuses; also to send out clothing, &c., for the Canadian battalions and to replace the deficiency of supplies. Approves of his proceeding with the land grants as proposed. Authority has been sent to appoint Sir John Johnson and M. Lotbinière, junr., to the Council. The question of the terms of his commission has not yet been decided. 218

November 15, London. Tatham to King (confidential). A dissertation on general politics, on affairs in the United States, on his own personal position and his fitness for the undertaking he proposes. 367

Paper A. Tracing his (Tatham's) descent; discussing the differences between *malum in se* and *malum prohibitum*, and the bearing of the doctrine on his present propositions. 380

Inventory of books left by Tatham in Spain. 386

November 16, London. W. Tatham to King (confidential). Bringing forward a plan for surmounting Niagara; the advantage of the cheapness of land that

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could be purchased at present; if it is to be a private undertaking the matter should be kept secret. Page 363

December 13, Whitehall. Portland to Prescott (No. 7). His commission as Governor of the North American Provinces sent. The Indian Department in Upper Canada is placed under the Lieut. Governor, subject to such special orders as he (Prescott) may send, but no change will be made in the mode of paying the expenses of the Department in Upper Canada; to communicate on the subject with President Russell. The services of the Queen's Rangers were designed for the Provincial duties of Upper Canada, as shown by letter from Dundas to Dorchester of 16th September, 1791, (No. 3, in Q. 52, p. 221). To consider whether this corps should not be returned to its destination, and such other forces sent as may preserve influence with the Indians. 222

December 24, Quebec. Cuthbert to Portland. Encloses memorials to Prescott, to have his affairs settled. Repeats his statement of services. His desire to be made Colonel of militia on his own estates, an office now held by Lavaltrie, who is not yet naturalised and who refused to take the accustomed oath when appointed a magistrate. 309

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2. For 3,000 acres of land. 318

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LIEUT. GOV. R. PRESCOTT, 1797.

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1796. October 13. Montreal.

Magistrates of Montreal to Prescott. Opposition to the road law in the suburbs of Montreal and neighbouring parishes; it has been determined to resist the attempt of the civil power to enforce it. Emissaries sent out to foment dissatisfaction; rescue of a ringleader. The civil power insufficient to compel obedience. Page 10

(In Prescott's letter No. 13 of 24th October.)

October 14. Quebec.

Prescott to Portland (No. 11). Dispatches received. The caution necessary in determining upon the ecclesiastical powers to be vested in the Protestant Bishop of Quebec. 2

October 15. Quebec.

Ryland to the Magistrates of Montreal. Prescott has received their letter; he is concerned that lenient measures were attended with no better effect. Is persuaded that the Magistrates will take means to secure the ringleader with any others that have resisted the law, that the supremacy of civil government may be asserted and supported. Orders are sent to the officer commanding the troops at Montreal to afford every military aid which the magistrates may require, but this is not to be resorted to till civil power be found inadequate. 12

(In Prescott's No. 13 of 24th October.)

October 24. Quebec.

Prescott to Portland (No. 12). The "Hind" arrived but not her convoy. It is feared that the ships under her charge for Quebec have been captured. A French fleet reported to be on the coast of Newfoundland early in September and to have captured St. John's; word sent to Prince Edwark (Duke of Kent). Should the ships for Quebec have been captured, it is essential that provisions detained at Halifax should be sent to Quebec. It would be of service to have a small armed vessel stationed at the port during the war, to be of use in various ways. A P. S. announces the arrival of three provision ships; one still missing. 3

Same to Prince Edward (enclosed) dated 3rd October, reporting the presence of a French fleet off Newfoundland and that St. John's was taken; is afraid the Fall fleet has been intercepted. The cargo of the transport "Allison" to be forwarded. 5

October 24. Quebec.

Same to Portland (No. 13). Seditious conduct in Montreal on pretext of opposition to the road bill. The proceedings at Quebec sup-

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pressed; leniency in Montreal has produced a different effect. Sends copy of correspondence between the magistrates and him; it is necessary to show that the laws are not to be outraged with impunity. Has sent a new Commission of the Peace, omitting the names of some who had connived at the tumultuous meetings. The law officers have been ordered to trace the rise and progress of the seditious movements and to report. Adet, the French Minister to the United States, has sent emissaries into the Province; the favourable disposition of the lower classes towards the French cause. The news of a French squadron being on the coast gave manifest satisfaction, and encouraged disorderly proceedings at Montreal. Page 7

October 28, Quebec. Prescott to Portland (No. 14). Has received *Mandamus* appointing Sir John Johnson and Lotbinière to the Council, also report in favour of three French priests which he had certified to the Superior of the Seminary of Montreal. The report of a French squadron being on the coast of Newfoundland has produced a sensation, showing a decided partiality among the Canadians for the French cause. The danger of allowing Frenchmen of any description to come to the country. Some recruits for the 60th attempted publicly to broach their political doctrines; they have been sent on board the "Hind" to be taken back. On account of the complexion of the Assembly and the spirit of insubordination it is not advisable to call it together as early as usual; will not, however, put it off longer than till the end of January. 14

October 28, Quebec. Same to same (No. 15). Sends requisitions for goods. 16

Two requisitions. 17, 19

October 28, Quebec. Prescott to Portland (No. 16). Sends minutes of Council on State business from 13th July to 22nd October. 24

31st August Minutes, 31st August. Petition from the inhabitants of Montreal respecting the ruinous state of the fortifications, &c., referred to a committee. 24

to Minutes, 24th September. Petitions and other business referred to a committee. 26

22nd October. Minutes, 22nd October. Report of special committee respecting the Seigniories of Restigouche and Port Daniel; (the report is in French, with explanatory documents). 27

Report on the petition of the inhabitants of Montreal respecting the fortifications. 41

Report on petition from the Collector and Comptroller of Customs respecting the Provincial Revenue and charges of collection. 47

Orders consequent on the report. 52

October 28, Quebec. Prescott to Portland (No. 17). Sends naval officer's returns of vessels entered and cleared at Quebec from 5th July to 10th October. 54

October 29, Quebec. Same to same (No. 18). Sends requisition for goods intended for the purchase of Indian lands including land for Brant and Cariboux Island. 55

Requisition. 56

October 29, Quebec. Prescott to Portland (No. 19). Dispatches received. 59

November 5, Quebec. Same to same (No. 20). Sends memorial from Finlay; recommends that a salary should be attached to his office as Clerk of the Crown in Chancery. 60

Memorial from Finlay. 61

Commission to Finlay. 63

November 5, Quebec. Prescott to Portland (No. 21). Sends observations by the Commanding Royal Engineers, concerning the quarters for troops in Upper and Lower Canada. The effect of the present system of quartering troops on the inhabitants requires the building of barracks. In consequence of the

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late proceedings in Montreal, the 26th, King's Own, (4th) and 24th Regiments have been sent there; the new magistrates are exerting themselves, and there is every appearance that tranquillity will be secured. The want of barracks makes it necessary to propose occupying the Recollet Convent, for which a reasonable compensation will be made. Act passed to regulate the trade between Canada and the United States in accordance with the treaty. Will give every attention to the two Canadian battalions not yet completed. Will recommend the Council to adopt some regular plan for the Church and Crown Lands; the land granting department in great confusion. Will attend carefully to the public expenditure. Page 65

Enclosed. Gother Mann. Observations concerning the quarters for troops in Upper and Lower Canada. 68

Order of the Governor-in-Council of the 7th July, 1796, for the regulation of commerce between Lower Canada and the United States. 72

November 5, Quebec. Prescott to Portland (No. 22). Sends copy of minutes of Council with Attorney General's verbal report concerning the late seditious movements in Montreal. He is preparing a more ample report. 95

Minutes, 30th October. Respecting the issue of a new commission of the Peace for Montreal and the late seditious movements there. 96

Proclamation against seditious practices; English 104; French 107. 104, 107

Order in Council ordering the removal of aliens; English, 110; French, 112. 110, 112

November 10, Burlington. Joseph Peters to his uncle in Montreal (in French). (Note says that the real name is du Calvette). Desires reply to his letter and to send him his commission, as he intends to go to New York and to France, whence he will return in spring and make the English dance the Carmagnole. Had the papers he sent been circulated? 156

Copy of Joseph Ducalvet's commission. 158

(In Prescott's, No. 29 of 17th December).

November 15, Quebec. Prescott to Portland (No. 24. No. 23 is missing). Dispatches received. Warrant issued for salary of Clarke as Lieut.-Governor of Lower Canada to 24th June, 1795. Sends minutes of Council containing the proclamation respecting the hostile proceedings of the Spanish court. Asks for instructions to prevent wheat from finding its way to Spain through the United States. 115

Minutes, 11th November, 1796. Draught of proclamation respecting war with Spain, which was ordered to be published. 117

Report on the contingent accounts, with proceedings, &c. 119

November 17, Quebec. Prescott to Portland (No. 25). Transmits memorial from Dechenaux, Judge of King's Bench, Three Rivers, that his salary may be the same as that to the Judges of Quebec and Montreal. 123

Memorial (in French). 124

November 18, St. John's. William Stanton to Colonel Barnes. Has been at Rouse's Point, but can pick up no papers or letters. About the middle of October, five men from France came to Rouse's Point, engaged a guide to take them to Canada, to distribute papers among the Canadians; the guide led them astray and they dispersed, but one remained who is living close to the line; his name is du Millière, and he talks of Canada being invaded next spring, when he expects to be a general. The French are to drop in by four and five at a time to mix with the Canadians. He (Stanton) does not think him a man of ability. He has no money, as his wife had to sell trinkets to purchase articles for the house. He goes to Caldwell Manor so that he can be taken. Description of two Canadians implicated. Rough sketch to show where du Millière has settled. 145

Sketch referred to. 148

(In Prescott's No. 29 of 17th December).

1796.
November 18, Quebec. Le Maistre to Prescott. The expense connected with his offices as Lieut. Governor of Gaspé and Inspector of the trade, &c., of Labrador. Asks that the salary be restored to its former amount. His long services. Page 166

Memorial stating his services. 168

(In Prescott's letter, No. 26, of 26th November.)

November 23, Montreal. Deposition by Elmer Cushing of the information given him by a certain person (name concealed) that Canada was to be attacked by the French next spring, when a French fleet would arrive in the St. Lawrence with a large body of troops, to be assisted by a force from the United States and by the Canadians. The person (not named) is an agent of Adet, the French Minister at Philadelphia. 137

(In Prescott's, No. 29, of 17th December.)

November 24, Newark. Speech of Joseph Brant on behalf of the Five Nations, at a council held by his desire. 176

Answer by the Superintendent. 185

(In Prescott's No. 30, of 24th December.)

November 26, Quebec. Prescott to Portland (No. 26). Transmits Le Maistre's memorial for increased salary as Lieut. Governor of Gaspé and Inspector of Trade and Fisheries on the coast of Labrador; recommends that the prayer of the petition be granted. 164

November 26, Quebec. Same to same (No. 27). Has been obliged to refuse a reinforcement asked for by Prince Edward, owing to the state of the Province. Order restored in the town and district of Montreal, more from apprehension of its being enforced than from a change of feeling. 170

November 26, Quebec. Same to same (No. 28). Sends minutes of Executive Council concerning Crown Lands from 28th June to date. 173

November 28, Philadelphia. Liston to Prescott (confidential). Since the United States Government has resolved to maintain neutrality and to enter into relations of commerce and friendship with Great Britain, the French agents have suggested the necessity of obtaining a predominant influence in the United States, and the recovery of part of the old French possessions. Fauchet would have been content with Louisiana, but Adet recommends that this should be joined with the repossession of Canada. The success of the attempt to regain Louisiana begins to be rumoured here from causes mentioned. It is uncertain how far the French Government has adopted Adet's views, but a connection of his has returned from a tour of several months through Canada, where the more indiscreet democrats boast of his success and that three deputies of the Canadians are now on their way to Europe, to make proposals to the French Government. Is inclined to think that vanity has caused the adventurer (named Arrison) to overate his success among the Canadians. 208

(In Prescott's No. 33, of 21st January.)

December 1, Quebec. Prescott to Liston. Calls attention to the attempts of Adet, French Minister in the United States, to excite disturbances in Lower Canada; his recent visit to Pointe au Fer confirms the belief. If, as is reported, Adet is collecting a body of men on the frontier to attack Canada, it cannot long be concealed from the United States Government; his confidence in the good understanding between the two countries. The Governor of Vermont has lately apprehended and returned Ephraim Barnes, who had escaped from Montreal gaol. The good effect of mutual service. 133

(In Prescott's No. 29 of 17th December).

December 1, Montreal. Deposition of William Barnard respecting McLean's proposals for him to join in the conspiracy against Lower Canada. 149

(In Prescott's No. 29 of 17th December).

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December 1, Montreal. Deposition of Gabriel Sistare respecting the movements of du Millière. Page 153

(In Prescott's No. 29 of 17th December.)

December 8, Montreal. Sir John Johnson to Green (Secretary). Transmits Brant's speech and recommends granting such a change in their land title as the Indians desire. 186

Answer by Green, that the decision rests with Russell, President of the Council of Upper Canada. 187

(In Prescott's No. 30 of 24th December).

December 17, Quebec. Prescott to Portland (No. 29). Dispatches received; formal acknowledgements. Since the Attorney General's report more ample discoveries have been made of plots carrying on against Government; had, therefore, written Liston, of which he sends copy and other documents. 131

December 17, Quebec. Same to Liston. Sends depositions and other documents relative to the projects carrying on against His Majesty's Government. David McLean is Adet's principal agent. Matters are in train for a further discovery. 135

December 19, Quebec. Attorney General to Ryland. A spy sent by the French Directory is in Canada; the magistrates at Montreal, Three Rivers and Quebec are in search of him. Finds that Vermont is more inclined to support the attack on Canada than was supposed. Ira Allen has purchased a quantity of arms in Paris, ostensibly for the Vermont militia, but by law the militia are bound to furnish their own arms. 159

Extract from the Burlington *Mercury*, of 1st December, 1796. Letter from Ira Allen that he had purchased arms in Paris for the militia of Vermont. 160

December 24, Quebec. Prescott to Portland (No. 30). Sends copy of speech by Brant, relative to lands granted to the Five Nations by Haldimand. Sends also extract of Sir John Johnson's letter and of the answer. Russell has submitted the matter; does not think that he (Prescott) is called on to interfere in territorial questions arising in Upper Canada. 174

December 24, Quebec. Same to same (No. 31). Has tried to collect the best information respecting the granting and settling of Crown Lands, to bring into effect the objects mentioned in His Grace's letter, namely:—

1. The adoption of an additional fee to defray the public expense of the Province.

2. The adoption of some plan to prevent encroachments on Church and Crown Lands and to render them soonest profitable. The lands would bear much larger fees than are charged. Proposal to put them up for sale and invest the amount in the British funds. Approves of this as a means of obtaining more money than by raising the fees.

If it is determined to have additional fees, proposes:—

1. That each grantee should (if he desired) have 1,200 acres.

2. That applicants might apply singly or in companies, the grants to be made either in severalty or to tenants in common as might be desired.

3. That the fees should be £25 per 1,000 acres.

4. That persons entitled to lands from past services should be charged half fees.

How the fees should be divided. In consideration of the augmentation of the fees, the grantees should be given all mines, except those of gold and silver. Under the present plan of selecting the Church and Crown Lands, it will be impossible to preserve them from encroachment. Had obtained observations and plans respecting the method of selecting the Church and Crown lands, which he encloses. 188

Observations referred to. 195

Plans Nos. 1 and 2. 200

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December 24, Quebec. Prescott to Portland (No. 32). Sends report of survey on Indian stores by the "Crosby." Page 202

Report. 203

1797.
January 9, Quebec. Craigie, Commissary General, to Prescott. The want of a storehouse for dry provisions at Quebec. 214

(In Prescott's No. 33 of 21st January).

January 19, Quebec. Remarks by Lt. Colonel Gother Mann, R. E., on the frontier toward Lake Champlain and on the posts of Isle aux Noix and St. John's. 211

(In Prescott's No. 33 of 21st January).

January 20, Whitehall. Portland to Prescott. Dispatches received. Approves of small armed vessel being stationed at Quebec. The prompt measures to repress outrages at Montreal and neighbourhood are commendable; the importance of carrying his proclamation into effect, and to discover not only Adet's emissaries, but also those acting in concert with them. Finlay to be allowed a salary of £100 as Clerk of the Crown in Chancery. The temporary regulation of trade between Canada and the United States is judicious; the Board of Trade has had the subject under consideration, so as to prepare a bill for the better execution of the treaty. Requisitions for goods sent to the Treasury. Observations by the Chief Engineer (see p. 68) sent to the Master General of the Ordnance; report received. His Majesty approves of the thorough repair of the barracks in Upper and Lower Canada, but to postpone building additional barracks. 126

January 21, Quebec. Prescott to Portland (No. 33). Had received letter from Liston corroborating the evidence as to the schemes of the French Government against Canada. Sends copy of Liston's letter. Asks for one or more armed vessels to be sent to Quebec in spring. A great majority of the Canadians are disaffected and very few to be depended on. The weak state of the frontiers towards Lake Champlain; sends remarks by the Commanding Engineer. Want of storage for dry provisions at Quebec. 205

January 21, Quebec. Same to same (No. 34). Sends naval officer's returns of vessels entered and cleared at Quebec from 10th October to 5th January. 216

January 21, Quebec. Same to same (No. 35). The report of Council respecting the seigniories of Restigouche and Port Daniel has been confirmed and warrants issued for payment. The circumstances attending the purchase. Sends sketch of the coast and copy of the deed of conveyance. Recapitulates his proposals in No. 31 respecting Church and Crown lands; thinks now that a certain proportion might be appropriated for the benefit of the Indians. The circumstances of the Indians and how the fund might be secured. 217

Sketch of the Bay of Chaleurs. 220*a*

Copy of the deed of conveyance. 221

January 27, Whitehall. Portland to Prescott (separate). Corn cannot be exported from any part of Canada except in British ships, and not to Spain even in them, during the war. No steps should be taken to obstruct this branch of trade between Canada and the United States (See Prescott's No. 24 of 15th November, p. 115). 129

February 1, Whitehall. Same to same. Calls attention to the importance of his attending to the disposal of the Crown Lands, and to report if it be not practicable to take measures to make a part productive to the Crown for the creation of a fund applicable to public purposes within the Province. 130

February 6, Montreal. Richardson to Ryland. Has, with Forsyth, been engaged in the examination of persons committed for high treason; had missed the principal agent. Respecting the course to be followed to get to the Mississippi for survey. How the Indians should be conciliated. The expense of conveyance. 245

(In Prescott's No. 36 of 18th February.)

1797. February 7, Montreal. James McGill to Ryland. Respecting the survey for ascertaining the boundary line on the Mississippi between Great Britain and the United States. Where the commissioners should meet; how they should proceed. Description of the Mississippi from the Falls of St. Anthony to its source, with its tributaries, with other remarks. Page 238

February 16, Quebec. Prescott to Liston. Respecting the preparations for the boundary survey. The difficulty that would attend the forwarding of supplies for the proposed expedition against the Floridas, unless the people of the States were inclined to favour the enterprise. In that case, or were the posts on the south side of the lake still held, there would be no difficulty in the conquest. 236

(In Prescott's No. 36 of 18th February.)

February 16, Quebec. List, prepared by Lt.-Col. Gother Mann, of instruments required for the survey of the boundary line on the Mississippi. 248

(In Prescott's No. 36 of 18th February).

February 18, Quebec. Prescott to Portland (No. 36). Liston has asked his opinion as to the execution of the 4th article of the treaty with the United States, respecting the boundary, and also as regards the proposal for the recovery of the Floridas. Sends copy of his answer. The preparations for the survey from the falls of St. Anthony will delay the business till 1798 or 1799, independent of the political situation of the two powers towards France or Spain. Sends list of instruments needed; recommends Lieut. Price for the survey. Arrest of two of the persons charged with treasonable practices. Du Calvette has fled from Burlington. The proclamations sent by Adet have been traced into the hands of ten persons, but not one can be found; those who had them declared they burned them. The Assembly postpone the consideration of the alien Act. 233

March 18, Quebec. Same to same (No. 37). Concerning the petition of the inhabitants of Montreal respecting the fortifications; bill introduced to effect the wishes of the petitioners. His obligations to the Chief Justice. 250

Enclosed. Speech to the Council and Assembly. 252

Extract from the minutes of the Executive Council of 17th March, concerning the town wall of Montreal. 256

March 18, Quebec. Prescott to Portland (No. 38). His reasons for recomending Major Bunbury for the office of deputy agent for Indian Affairs. 259

Return of appointments made by Lord Dorchester in the Indian department. 261

March 18, Quebec. Prescott to Portland (No. 39), Sends letter from the Attorney General relative to the prosecutions in the recent session of the Court of King's Bench. 262

Letter dated 17th March, from J. Sewell, Attorney General, with list of cases tried at the Court of King's Bench. 263

April 5, Whitehall. Portland to Prescott (secret). Had received dispatches with enclosures respecting the machinations of the French. Had instructed Liston to send all information to him (Prescott), who is to do the same in return. Cannot understand why McLean was not arrested. 161

April 15, Quebec. Prescott to Portland (No. 40). Sends minutes of Council on State business from 12th November to 17th March. 266

Minutes, 17th March. Message to the Legislative Council and Assembly respecting the fortifications of Montreal. 267

Report on the Contingent Public Accounts for six months, with proceedings, evidence, &c., 270 to 300

April 15, Quebec. Prescott to Portland (No. 41). Sends memorials from the judges of Quebec and Montreal, relative to the Court Houses and Gaols. The improved and improving state of the finances. The right of *quint* due

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on sales could be applied also to the building of Court Houses and Gaols. The rate has not lately been exacted by the Crown, it should either be collected or abolished, as lands held in fief continue to be bought and sold subject to the payment, and its abolition would put all tenants under the feudal system upon an equal footing. Capture of the "Olive Branch" laden with several thousand stand of arms; Ira Allen taken prisoner. Should the vessel be liberated as American property, the United States Government should be put on their guard, as it is for their interest to defeat the schemes of the French. Page 301

Memorials from the Judges referred to, and presentment of the Grand Jury, respecting the Court Houses and Gaols in the districts of Quebec and Montreal. 305 to 309

May 10, Whitehall. King to Prescott. Sends extracts of letters from President Russell respecting the Indian Department. 163

July 12, Whitehall. Portland to same (No. 10). That in consequence of the detriment to the people of the Bay of Chaleurs, orders have been given that goods which have been regularly imported may be transported from one British colony to another. 310

July 13, Whitehall. Same to same (No. 11). Cannot at present recommend any addition to Le Maistre's salary as Lieut. Governor of Gaspé. So soon as the pension to the widow of his predecessor, or any exisiting provincial grant or allowance shall fall in, he shall recommend an increase to LeMaistre. Sends copy of letter addressed to Prince Edward respecting reinforcements. The minutes respecting new boundary line between Upper and Lower Canada not yet received. Respecting the lands granted to the Five Nation Indians. Authorizes the laying of an additional fee on all future grants of Crown lands, to be used for defraying provincial expenses; this is not to apply to grants already made, but only in case of future applications. How the amount received is to be accounted for. This need not prevent the attempt to sell the Crown lands. Respecting the distribution of fees, &c. Reservations in grants shall only apply to mines of gold and silver. The original plan respecting the Church and Crown reserves to be adhered to. Report of survey on Indian stores transmitted to the Treasury. Armed vessels not necessary to be stationtioned at Quebec; the North American squadron sufficient. The measures taken to meet the French machinations, cannot fail to secure internal peace. Lieut. Colonel Mann's report on the fortifications sent to the Board of Ordnance; he (Prescott) authorized to erect temporary works, and a proper store-house at Quebec. The decision as to the seigniories in the Bay of Chaleurs is proper. Instructions shall be sent as to the mode of carrying out the fourth article of the treaty. The second point submitted by Liston must be abandoned, owing to its expense and the length of time necessary. The message respecting the fortifications of Montreal judicious. The difficulty of settling the appointment to the vacancy in the Indian Department; to consult Mr. President Russell on the subject. Authority given to comply with the requests of the Judges and Grand Jury respecting Court-houses and Gaols. Approves of the action respecting the *quint*. 311

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1797. April 9, Quebec. Sewell to Ryland. The man Jonson, mentioned in the "True Briton" as engaged in intrigues for the French, came with de Millière to the lines, left the frontiers on the 24th of September, and probably left New York for Paris by way of Hamburg. Jonson, properly Janson, is

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described by Neau as chief of de Millière's expedition and his superior both in rank and abilities. Capture of the "Olive Branch", an American ship, loaded with muskets, field pieces and camp equipage for 10,000 men. These must have been the arms intended for the Canadians and for the French now in the United States; they were to have been landed at Troy. Page 123

(Copy sent to Liston).

April 10, Quebec. Prescott to Liston. Sends copy of letter from the Attorney General. Desires that it should be ascertained if Allen was actually employed to purchase arms for the militia of Vermont. If not, there can be no doubt of their destination, and is persuaded that the American Government will take means to discover and defeat the designs of the French against Canada. 122

(In Prescott's separate of 27th May).

May 10, Quebec. Deposition by John Black, ship carpenter, against Frichet and McLane for treasonable practices. 7

(In Prescott's No. 42 of 13th May).

May 12, Quebec. Examination of Charles Frichet, arrested for treasonable practices. 13

(In Prescott's No. 42 of 13th May).

May 12, Quebec. Report by Sewell, Attorney General, of offences against Government, for which indictments were preferred. The report gives details of the charges. 17

Calendar of persons indicted, with the verdicts.

1. Charles François Ferrière, convicted. 2. Amable Content, convicted. 3. François Lafontaine, François Poirier and Antoine Fontrouge *dit* Crespin Godouin, two convicted, Fontrouge acquitted. 4. Luc Berthelet, Scholastique, Mathieu, Guillaume Blondin, Guillaume Fontaine Blondin, *non est inventus*, the others convicted. 5. Luc Berthelet, François Chamberlain, Etienne Rastoule and Emanuel Vidriquaire, convicted. 6. Nicholas Depelteau, acquitted. 7. Joseph Peters, *alias* Joseph du Calvette, Jean Baptiste Bizette, Etienne and Joseph Girard *dit* Provençal, not tried. 8. Ignace Lambert, Louis Roberge, François Cantin and François Roberge, convicted. 9. Joseph Dusault, François Ale, Louis Lemillier, *dit* Langlois and Gabriel Lemieux, convicted. 10. Louis Cadorette, François Couture and Louis Gaudreau, convicted. 11. Pierre Huard, Louis Croteau, Etienne Lemieux, senior and junior, Michel Lemieux, the elder, Laurent Levasseur, Joseph Lemieux and Pierre Boucher *dit* Prisque, convicted. 12. Antoine Dionne, senior and junior, Pierre Noel Pelter and Charles Gagner, convicted, except Gagner, not yet apprehended. 13. Antoine Dionne the elder, convicted. 30 to 35

May 13, Quebec. Prescott to Portland (No. 42). Has received his commission. Has written Russell that the Indian Department in Upper Canada is placed under the management of the persons administering that government, and enclosed His Majesty's instructions, &c. Had determined to leave the Queen's Rangers in the Upper Province; how the corps is distributed; owing to the state of things in Lower Canada, cannot send a stronger force. Provincial Parliament prorogued; a better disposition prevailed at the close; sends list of bills passed. McLane, Adet's principal emissary, and Frichet, an accomplice, have been arrested and are in safe custody. Depositions enclosed. 2

List referred to of the Acts passed at the last session. 5

May 13, Quebec. Prescott to Portland (No. 43). Minutes of Council on State business from 18th March to 27th April. 36

Minutes, 17th April. Report on Public Accounts, with proceedings and details. 37

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Committee on Accounts for the six months, beginning 11th October, 1796. Page 47

States of the provincial revenues of the Crown and of the expenditure for twelve months, ending on the 5th of January. 47

April 27 Minutes, 27th April. Prescott presents his commission as Captain General and Governor-in-chief and takes the oaths. 49

Presents his commission as Admiral. The usual proclamation ordered. 50

Report on provincial revenues, with proceedings and details. 52

May 27, Quebec. Prescott to Portland (No. 44). Dispatches received. Respecting his proposal for an armed vessel to be kept at Quebec. The necessity of building barracks instead of the posts ceded to the United States. In the present critical state of affairs in Lower Canada, troops should be quartered as contiguous to each other as possible; billetting one or two in a house is dangerous, as their arms might be seized; such an idea was entertained by the disaffected in Montreal. The fort at St. Johns is absolutely in ruins; magazine of powder and military stores removed thence to Quebec; there is only one magazine there bomb proof; a second or third necessary. 56

Provincial Statutes. 59

May 27, Quebec. Prescott to Portland (separate). Further respecting the designs of the French against Canada; suspicion of the real destination of the arms brought by Ira Allen. Sends copy of letter to Liston. Depositions by a brother of McLane and a man named Butterfield arrested at St. John's, which corroborate the evidence against McLane, for whose trial a special commission is issued. Irregularities in accounts of the collector at St. John's; William Lindsay appointed comptroller there; the benefit to the revenue arising from the appointment. The groundless nature of the insinuations against the character of Ainslie. 119

Depositions referred to in the letter (Butterfield's, 125; McLane's, 129). 125, 129

June 10, Quebec. Prescott to Portland (No. 45). Sends minutes of Council on State business from the 28th of April and on Crown Lands from the 27th November, both to the 7th June. 133

Minutes, 7th June. Appointment of a comptroller at the port of St. John's. 134

Minutes Crown Lands, 17th April. Alteration in the terms of granting Crown Lands referred to a Committee. 136

Minutes, 7th June. Report of a Committee on applications for lands for which the faith of the Crown is pledged; report is in full. 138

Order for warrants of survey for the sub-division of the townships of Brome and Bolton. 143

June 14, Lake Champlain. John Hunsdon to John Blackwood. Respecting his rafts and the delay on account of low water. Had written recommending the McLanes, for which he apologises, but he was fairly out-generalled, although he had suspicion. He would, however, improve the information to the advantage or for the safety of the Province. Had received information under obligations of secrecy which he did not think he violated when lives were at stake. His letters had been sent before he knew of the arrests which is a guarantee of his good faith. Is seriously affected at the danger to life in Canada, indeed for the safety of America in general, so much depends on its being under British and not French rule. Gives a sketch of the French Directory's plan for the capture of Canada, which was to be accomplished on the 4th of June or July, when the two Provinces would be divided into States. A vigorous attempt will be made, but thinks Congress will prevent many Americans from coming in, as it is reported the United States have declared against France. He will not

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accuse individuals now, but should any come in he will not hesitate to make their names known, but his must be kept secret, otherwise he will be unable to get further intelligence. Page 148

June 23, Malden. Elliott to Sir John Johnson. The French and Spaniards tampering with the Indians. One Lorimier employed to carry messages, telling them that they are sorry to see them with the English, who are doomed to destruction. They have also sent invitations to the Indians to remove to the Mississippi. They (the French and Spanish) have troops moving up the Mississippi; Michilimakinak, Detroit and Niagara are the professed objects of the expedition, but it is only a pretext to occasion a diversion should they attack the Lower Province. Faithful Indians sent out to learn the true state of affairs. A number of gun boats mounted with 24-pounders are on the Mississippi. 160

(In Prescott's No. 49 of 22nd July.)

June 24, Quebec. Prescott to Portland (No. 46). Dispatches received; repecting the machinations of the French; the destination of the arms captured in the "Olive Branch." Ira Allen's desperate fortune; his rank as a militia general can give him no consequence; the Governor of Vermont a man of the meanest education and was lately the keeper of a country tavern. The improbability of Allen being employed to purchase these arms for Vermont; the expense is far beyond the means of that State. McLane was nearly out of the Province when his intentions were made known to a magistrate, so that he could not have been apprehended. Sends papers that show definitely the designs of the French against Canada. The blow may probably be deferred till autumn when a French fleet is expected. McLane's trial to take place next month. 145

June 24, Quebec. Same to same (No. 47). Recapitulates his views respecting Crown lands as formerly expressed. The almost insurmountable difficulties that have arisen owing to the want of a decision on the vast accumulation of petitions for lands. The hardship to those who have made improvements and incurred large expenditures, under the warrants for survey, for which no regular patents have issued; many who sold their lands in the United States to settle here had returned, disgusted and ruined by the delay. These were represented as being chiefly men of property, good farmers and of tried loyal principles. The necessity of settling the question of those to whom the faith of the Crown was pledged; a list preparing by the Council. The decision of the committee of Council on many cases will be thought severe. 154

July 3, Halifax. Duke of Kent to Prescott. The enormous price of all the necessaries of life had induced him to recommend the case of Messrs. Binney and Ward for an allowance. The mechanics who have a larger income than many of the officers are unable to make it meet their expenditure. Calls attention also to the case of the soldier in point of clothing and provisions. Enters into details, to show the insufficiency of the allowances, an evil which should be remedied, especially now when there is the spectacle of a dreadful mutiny in the fleet. The much more favourable circumstances in Canada where the necessaries of life are infinitely cheaper than in Halifax, where every thing is so exorbitant as to be wholly beyond the soldier's reach. The importance of taking such measures as may prevent the possibility of insubordination. 189

(In Prescott's No. 52 of 10th August).

July 8, Quebec. Prescott to Portland (No. 48). McLane tried, found guilty of high treason and received sentence accordingly. 157

July 22, Quebec. Same to same (No. 49). Sends letter from Elliott, deputy superintendent at Detroit River, respecting the movements and conduct of the French and Spaniards on the Mississippi and vicinity and their endeavours to stir up the Indians. Should write to Liston that he may, if he thinks

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expedient, acquaint the American Government with these proceedings. The weak condition of Upper Canada; the state of things in Lower Canada will not allow of sending help. McLane's sentence was carried into execution yesterday; particulars of the trial are preparing. Page 158

July 31, Philadelphia. Liston to Prescott. The complaints of Brant against President Russell, for his dealings with the lands given to the Mohawks. His (Prescott's) personal interference may be needed in consequence of Brant's deep seated prejudice against Russell. French emissaries have been tampering with the Mohawks, and not, it is apprehended, without success. 208

(In Prescott's No. 55 of 6th September).

August 5, Quebec. Prescott to Portland (No. 50). Sends minutes of Council on State business from the 8th to 29th of June. 167

Minutes, 29th June. Appointment of a committee of Council in virtue of an Act for the better preservation of His Majesty's Government in the Province. 168

Report on the accounts of the Receiver General, with proceedings and details. 169

August 5, Quebec. Prescott to Portland (No. 51). Sends naval officer's returns of vessels entered and cleared at Quebec, between 5th April and 5th July. 186

August 5, Quebec. Same to Duke of Kent. (Extract). Shall transmit the representation on the subject of an extra allowance to the soldier serving in North America for winter clothing, for an augmentation to the rations of pork and butter and for taking off the stoppage for rations. The magnitude of the measure which must be maturely weighed. The cheapness of certain articles in Lower Canada as compared with Halifax, is met by the cheapness of fish in the latter. The extravagant price of provisions in Upper Canada, but there is no complaint from that quarter. The drunkenness of the soldiers on being paid off their monthly arrears, is a proof that there is not a want of money among them. 195

(In Prescott's No. 52 of 10th August).

August 10, Quebec. Prescott to Portland (No. 52). Sends dispatch from Prince Edward and copy of reply, respecting the proposal to augment the allowance to the soldiery in the district of Nova Scotia. Although there is no ground for complaint on the part of the soldiery in Lower Canada, yet if an augmentation should take place in Nova Scotia it would be necessary to extend it to the whole of the command on the Continent. 187

August 12, Quebec. Same to Colonel Brown Rigg. Encloses the correspondence with Prince Edward to be laid before the Duke of York (see pp. 189, 195). The hardship complained of must cease when the fleet is withdrawn, as the crews consume the greatest part of the butcher's meat, &c. The additional expense is a great obstacle. Should the advantages sought by Prince Edward be granted to the troops at Halifax, hopes they may be extended to the whole army in North America, to prevent the ill consequences that would follow. 197

(In Dorchester's No. 52 of 10th August).

August 12, Quebec. Prescott to Portland (No. 53). Dispatches received, with his commissions as Governor and Vice Admiral. Sends requisition of Russell for goods to purchase lands from the Indians for public buildings and a town. At a council with the St. Francis Indians they requested land, in addition to their seigniory; suggests that the Governor should have power to make such grants. Has complied with the request of the Lorette Indians to place two of their children at the Seminary of Quebec. Had received dispatch from Liston, respecting arms captured in the "Olive Branch"; there is nothing to prove that the arms were not for purposes hostile to the Province; it is probable that Allen hoped to convert them to his private advantage. 199

Requisition referred to.

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August 23, Quebec.

Prescott to Portland (No. 54). The Roman Catholic Bishop of Quebec has applied for the further admission of French Emigrant clergy, passports having been refused to some who were desirous of coming. The admission of any considerable number would interfere with the views of Canadians seeking ecclesiastical preferment for themselves or their children; on this ground alone, he would recommend that very few be admitted. But besides their introduction may at a future time form a connection between the Canadas and France. Page 204

August 25, Missisquoi Bay.

J. Pennoyer to Thomas Dunn. Introduces Major De la Van, who first informed against McLane. Had advised him to communicate what he knew concerning McLane's confederates. One General Clarke, of Vermont, is as deeply concerned as McLane; he has been made a general by Adet; there are more concerned in the horrid business than was supposed; Chittenden and others strongly suspected; the arms brought by Allen were for McLane's expedition, this is confirmed by a letter from Adet found among McLane's papers, stating that the Directory had shipped these arms for Lower Canada to arm the Canadians. Although the destination of the arms was well known, yet Chittenden had given Allen a certificate that he had requested him (Allen) to purchase the arms for the Vermont militia. Should McLane's papers be obtained, they shall be sent to Quebec; they are said to contain some extraordinary matter. 213

(In Prescott's No. 55 of 6th September).

August 31, Quebec.

Prescott to Liston. Dispatch received. Had sent printed copies of McLane's trial; is unable to throw any further light on Greenup's connection with him. The indiscretion of the American Ministry in making public the proposal for an attack on the Floridas; does not blame him (Liston) though there is a party in the States which would gladly do so. Russell writes that everything is settled with Brant. The wishes of the Five Nations complied with. Sends extract of letter from New York respecting the importation of arms by one Jacob Oster (Astor?). David McLane ordered to be released, there being no evidence to connect him with his brother's crime. 210

The extract of letter from New York, dated 10th August. "One "thing I wish to mention. A German person Jacob Oster, who frequently "visits Canada, who deals largely in Furs, and is at present ('tis "said) in that country, has imported in the last ship from London 6,000 "stand of arms and 100 casks of gunpowder (the latter he has advertised "for sale)." 212

(In Prescott's No. 55 of 6th September).

September 1, Missisquoi Bay.

Pennoyer to Prescott. Is sorry to find how many were concerned with McLane, among the rest the late Governor Chittenden. A few days before his (Chittenden's) death he was fined $180 for selling liquor by small measure, without license. Cannot say whether the fine killed him or not. He (Pennoyer) and Coffin have made a trip to the northern part of Vermont. There is not the smallest doubt that Allen agreed with the Directory to deliver the 20,000 stand of arms in Lower Canada. The certificate given by Chittenden and his general officers of militia is so notorious a lie as everlastingly to leave a stain on their character; still he hopes that low, artful subterfuge will not save either Allen or his arms. 215

(In Prescott's No. 55 of 6th September.)

September 6, Quebec.

Prescott to Portland (No. 55). Sends copies of letter from Liston and answer. Sends communication respecting the arms taken in the "Olive Branch," giving additional ground for believing that they were intended to be used against Canada and that persons of more consequence were in the plot than was at first supposed. General Clarke is married

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to a daughter of Governor Chittenden, who died a few days ago; it is said he will be succeeded by Tichenor, who is a friend of the Federal Government. Sends letter showing how much weight can be attached to a certificate from Chittenden. Had received extracts of correspondence with Russell respecting the Indian Department. Page 206

September 11, Whitehall. Portland to Prescott (No. 12). The King's pleasure at the harmony in the Provincial Parliament; this and the energy of Government have frustrated the treacherous designs of his enemies and obtained a strength and solidity which cannot fail to impress friends and enemies. Requisition for an armed vessel for Quebec transmitted to the Admiralty. Has been authorized to erect works towards Lake Champlain, a storehouse at Quebec and such works as may be necessary in Upper Canada for the security of the military stores. Copies of dispatches transferred to Lord Grenville; the importance of communicating information to Liston respecting Spanish and French intrigues. Remarks respecting Crown Lands; the decision of Council in respect to the persons to whom the faith of the Crown is pledged is not too strict. The meaning of the instructions to the Governor respecting Crown Lands and his powers. 162

September 12, Quebec. Prescott to Portland (No. 56). Sends minutes of Council on State business from the 30th June, and on Crown Lands from the 8th of June, both to the 2nd September. 217

July 31 Minutes, 31st July. Second report on the public accounts for six months, beginning 11th October, 1796. 218

Memorial of the collector and comptroller of St. John's referred to a committee. Report of the capture of the "Olive Branch," with arms, ammunition, &c., in charge of Ira Allen, stated to be employed by the Directory of France in a scheme to overthrow Government in Lower Canada. Evidence respecting Levi Allen. 221

Minutes, 7th August. Report on memorial from John Young for water lot in Quebec. 226

to Report on the memorial of J. Blackwood for the continuation towards the river of a lot in Quebec. 228

Minutes, 22nd August. Report on the memorial from the collector and comptroller at St. Johns. 230

Further report on the public accounts beginning on the 11th October, 1796. 232

Committee appointed to examine the public accounts beginning 11th April. 233

Report as to the enlargement of Hugh Hogan. 233

Commissions to Prescott appointing him Captain General and Governor in chief of Nova Scotia, &c., and Vice-Admiral of the same, were laid on the table. 234

September 2. Minutes, 2nd September. Report on the enlargement of Levi Allen. 235

Oaths of allegiance taken by the Roman Catholic Bishop and Coadjutor. 236

Error in the table of customs fees at St. John's ordered to be corrected. 236

Minutes on Crown Lands, 31st July. Advertisement respecting claims to land referred to a committee. 238

Respecting the Crown and Church Reserves. 238

Minutes, 22nd August. Report on advertisement respecting claims to land; (it gives details of claims). 240

Report on a proclamation ordering persons who had settled on Crown lands without authority to move off. 250

Minutes, 2nd September. Report respecting fees on town and water lots; with memorial. 254

1797.
September 24, Quebec. Prescott to Portland (No. 57). Sends exemplifications of the Acts passed last session, with journals of the Legislative Council and Assembly. Sends also copy of bill prepared by the Attorney General for removing such parts of the old wall, &c., of Montreal, as were not necessary for military purposes. The Legislative Council of Upper Canada not having confirmed the agreement made by the commissioners, Upper Canada will be deprived of any part of the revenue collected at Quebec during the year. The civil expenditure of the Upper Province must therefore be furnished from the military chest. Page 258

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1796.
November 5, Montreal. Rev. Mr. Toosey to King. That in consequence of the capture of the vessel containing the letter authorising the payment of his salary as ecclesiastical Commissary for Lower Canada, he had not been able to obtain it, and asking that steps be taken to enable him to draw his salary. Page 447

Memorial on the same subject to the Duke of Portland dated 11th November. 449

1797.
January 2, London. Benedict Arnold to Portland. Calls attention to his claims for land in Canada, in consideration of his services. Believes that there is no other man in England who has made such great sacrifices of property, rank, prospects, &c., in support of Government and that he has the strongest possible claim on the faith, justice and honour of the nation. 426

February 8, Lambeth. The Archbishop of Canterbury to Portland. Sends extract of letter from the Bishop of Quebec; the interests of the Church of England in Canada may have suffered from the delay in the delivery of the letter; trusts that no recommendation may yet have been made respecting the ground on which the Recollet Church and garden stood. The mortifying state of the Church of England in Quebec for want of a decent place of worship; trusts that consideration may be given to the Bishop's request; asks, however, for an interview, having much to say on this subject. 453

Enclosed. Extract of letter from the Anglican Bishop of Quebec, reporting the burning of the Recollet Church and Convent and that the members of the Church of England had leave to worship in the Jesuit Chapel. Desires that the ground occupied by the Recollets should be transferred to the Church of England. 455

February 13, Dropmore. Grenville to Portland. Transmits letter from the Archbishop of Canterbury and extract, relating to the establishment of the Church of England in Canada. 457

Note from the Archbishop. 458

March 12, London. Viscount de Vaux to King. Reminds him of the letter from Dundas to Dorchester and Pitt's promises for a grant of Crown land. Dorchester being no longer in Quebec, asks for a letter from the Duke of Portland. His scheme has received the approbation of English and French royalists; if his plan could not be executed at large it could be for some part of his family. 432

Memorandum (in French) to the Duke of Portland, on the services and claims of the Viscount de Vaux. 434

State of the case of Charles Grant, Viscount de Vaux, addressed to the Duke of Portland. 436

May 2, Quebec. Journal of the Legislative Council of the Province of Lower Canada. 260 to 320

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Journal of Assembly from 24th January to 2nd May, 1797. (Title only, the journal is in printed form). Page 321

June 7, Lisbon. Isaac Coffin to ———— Had applied for the grant of the Magdalen Islands, where he intended to carry on an extensive fishery which was recommended in 1778. His being struck off the list on charges brought against him by the Captain of the "Thisbe," and the steps necessary for redress and restoration, made him neglect the business. The matter again brought before Council. The confirmation by the higher powers is alone wanting to place the property complete in his hands. 460

July 1, London. Thomas Lack to King. Returns paper with observations upon it by Lord Liverpool, who does not think the Governor will apply the restriction in a stricter manner than necessary, so as to offend the proprietors of land in Canada. 459

August 29, London. Ira Allen to Simcoe. Presumes he is acquainted with the character of Chittenden and the principal officers in Vermont, which induces him to write on the subject of the detention of arms by the "Olive Branch." Sends summary of the evidence; the arms have not been restored or delivered on bail, which would not have injured the captors, as the bail would be equivalent to the value of the arms, whilst the delivery would have given the claimant the opportunity of justifying himself by carrying the arms to their original destination. The delay is injurious to the people of Vermont for whose use the arms were bought by the express desire of the Governor. Argument as to the course the law ought to take. From the interest Vermont has in opening a canal and having commerce, &c., with Great Britain, of which he (Simcoe) is aware, he may make statements to Government that would do away with ill-founded jealousies, &c. 485

September 2, Quebec. Bishop (Anglican) of Quebec to Portland. Explains at length his reasons for writing directly to the Ministry. His appointment to the Executive Council is without salary; was not aware that the salary of his commissary in Upper Canada had been paid when he had written before. The order to pay the salary of the commissary for Lower Canada had never reached. 428

September 20, Berthier. James Cuthbert to same. Sends duplicates of letter, memorials, &c., respecting his claims. States his services and losses in defence of the country. After his long service as a Commissioner of the Peace, his name was withdrawn, without any charge being made, and he is now excluded from that office, as well as from the Council. He had been promised a baronetcy, but at that time refused it; he would now gratefully accept the honour. His reason for applying to be made colonel of the militia on his own estate; seven-eighths of the County of Warwick belong to him; one-eighth to Mr. Lavaltrie, who is colonel of the militia of the county, and who on an emergency would command his (Cuthbert's) tenants. Lavaltrie was an ensign in the French service, and when appointed a magistrate refused to take the oaths. 500

September 22, Quebec. Prescott to same (No. 58). Dispatches received; satisfaction at the suppression of the mutiny. Re-capitulates contents of former letters; Russell has adjusted everything with the Five Nations. He (Prescott) will consider the new system proposed for granting Crown Lands. Repairs of fortifications, &c., must be deferred till spring. Respecting the appointment of Fraser and the retention of Claus in the Indian Department. The King's compliance with the requests of the judges of Quebec and Montreal, and His Grace's flattering opinion of the services of the Chief Justice communicated to that gentleman. Hopes that the Royal Assent will be given to the Consolidating Act. 325

Memorials for lands, &c., referred to committees. 325

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Report on the boundary between Upper and Lower Canada. Page 326

September 22, Quebec. Prescott to Portland (No. 59). Sends state of the forces; also requisition for mortars, howitzers, &c., transmitted last year, but not yet attended to. 331

State of the forces in North America. 332

An approved proportion of brass mortars, &c. 333

October 3, Quebec. Prescott to Portland (No. 60). Sends report of survey on Indian goods. 340

Report. 341

October 4, Quebec. Prescott to Portland (No. 61). Arrangements for carrying out the fourth article of the treaty with the United States. Captain Brice retained for the work. Death of Rev. Mr. Toosey; appointment of Rev. Salter Mountain, nephew of the Bishop, to succeed as minister of the Protestant Church at Quebec. 343

(No. 62 of 18th October in Q. 80—1, p. 2).

October 9, Walford Lodge. Simcoe to Ira Allen. Delay caused by his absence from home. The regret of Government at being obliged to authorise proceedings that harass any of the subjects of the United States; is gratified that he (Allen) admits that in the circumstances it was the duty of Government to prevent such formidable military apparatus from passing without the strictest scrutiny. The matter is undergoing judicial inquiry, with which Government cannot interfere. Although convinced of the probity of Chittenden and leading Vermonters, yet in the present state of anarchy many are led away, among others, according to the newspapers, is Levi Allen. Believes in his (Ira Allen's) probity, and cannot suppose that the cargo of the "Olive Branch" was to be used against Canada. The canal of which he (Allen) speaks will no doubt meet with the fairest discussion when the time comes that the work could be safely executed. 489

October 16, London. Ira Allen to Simcoe. By the treaty of 1794, His Majesty's servants might stop and examine the "Olive Branch"; this was the result of an examination of the treaty by Monroe, Minister at Paris, in June, 1796, when he (Allen) was in treaty with the Directory for arms for Vermont. Complains of the delay in the Court of Admiralty in the decision of the case. The character of the people of Vermont and their interest in securing a canal and the commerce by the St. Lawrence. There may be some inclined to disturb the peace of Canada, but does not see how this can be used against the legal rights of the great body of the people. Is surprised at the charge against his brother Levi; he may have used some expressions of natural indignation at Ira's treatment, many others are dissatisfied at the same thing. Thanks for the friendly representations he has offered to make to Portland. 493

October 31, Quebec. Memorial by Lester and Morrogh respecting the township of Barnston. 463

November 1, Quebec. Prescott to Portland (No. 63). Sends requisition for a supply of Indian presents. 345

Requisition. 346

November 1, Quebec. Prescott to Portland (No. 64). Sends naval officer's returns of vessels entered and cleared at Quebec between 5th July and 10th October. 351

November 3, Quebec. Same to same (No. 65). Concerning the new arrangements for granting the waste Lands of the Crown; the difficulty arising from the number of applications, which must be settled previous to the introduction of the new system. The dissatisfaction expressed by applicants at the report of the committee on claims; the justice of many complaints; redress must be given by His Grace's directions. The classes into which applicants were divided: 1. People who had been always attached to the British cause, and who desired to settle under His Majesty's Government. 2. People who had been led astray, but from experience were

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led to prefer the situation of a British colonist to that of an American citizen. The reduction in these two classes from delays. 3. Mere speculators, whose applications were numerous. The causes of the delays. The reasons for and against granting the demands of applicants; sends documents relative to the grants from 1792 to 1795. His own ideas for extricating the business from its present embarrassed state preparatory to the introduction of the new system. Propositions for meeting the views of the applicants and settling their cases equitably, the suggestions being divided into articles referring to the different classes of settlers. The letter enters minutely into the whole subject. Page 352

Enclosed. Proclamation by Governor Clarke, respecting the granting of land, dated 7th February, 1792. 385

Warrants of survey, dated 3rd August and 3rd May, 1792. 390 to 393

Extracts from the minutes of Council, various dates, respecting land grants. 396 to 423

November 3, Quebec. Prescott to Portland (No. 66). Sends requisitions for clothing for the 1st and 2nd battalions of the Royal Canadian Volunteers. 424

November 4, Whitehall. Portland to Prescott (No. 13). Dispatches received and laid before the King. The proceedings respecting Levi Allen and others, and the vigilance to guard against the machinations of the enemy approved of. His judicious answer to Prince Edward respecting allowances to the soldiery in Nova Scotia; the increased pay to the whole army renders further discussion unnecessary. Has transmitted to the Treasury Russell's requisition for goods to pay for Indian lands. Power given to the Governor to grant additional lands to the St. Francis Indians, but such lands must not be alienated; the difficulty caused by Haldimand's grant must be a warning to provide against a similar difficulty. Reports respecting the connection between McLane's proceedings and Ira Allen transmitted to Grenville. The bill for the taking down the old wall of Montreal shall be returned. The trial of McLane creditable to the administration of justice. Consolidation Act assented to. 335

December 4, London. Ira Allen to Robert Slade. Will accept the arms on board the "Olive Branch" in their present condition, or the fair value in money; if the cargo is delivered, will give reasonable security that the arms shall be carried to the United States and distributed to the militia of Vermont to supply their deficiences. As he will receive compensation for damages, proposes to take six townships in full of the amount and pay all the fees, with the obligation to put no settlers on them except such as are approved of by the Government of Canada. The township of Albany, which he owns, was settled by American Loyalists. Believes, if his proposals could be carried out, he could, on his return to America, take measures to preserve peace, order and tranquillity and the friendship now existing between the United States and Canada and to extend an extensive commerce between Lake Champlain and Great Britain. 497

December 7, London. Same to Portland. Desires to give an explanation respecting a cargo of arms purchased for the militia of Vermont. 484

December 13, Whitehall. Portland to Prescott (No. 14). Ogilvie placed at the head of the Government of Cape Breton, 339

December 23, Quebec. Bishop (Anglican) of Quebec to Portland. Mr. Elmsley and Mr. Reddish had passed to Upper Canada by way of New York; His Grace's letter sent from Niagara. His consolation in the hope of receiving material assistance in the religious concerns of Upper Canada; his satisfaction at the prospect of seeing three more Clergymen soon sent there. 451

LIEUT.-GOV. R. PRESCOTT, 1798.

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1797. October 18, Quebec. Prescott to Portland (No. 62). Encloses copy of petition from the Abbé Desjardins on behalf of several inhabitants of the Island of Martinique, who solicit permission to remove to Lower Canada, under the idea that the island will be restored to France at the peace. Leaves the decision in the hands of His Grace, having already given his opinion on similar applications. Page 2

Petition (in French) from Abbé Desjardins. 4

(Letters dated November 1 and 3, numbered 63 to 66, are in Q. 79-1).

December 16, Quebec. Prescott to Portland (No. 67). Long statement of the regulations he proposes for the disposal of the waste lands of the Crown. 28

December 23, Quebec. Same to same (No. 68). Has received the announcement that George Leonard has been appointed Superintendent of Trade and Fisheries in the King's American Colonies, but has not yet heard from that gentleman. Shall take measures for carrying into execution the works authorized on the frontiers towards Lake Champlain, for storehouse at Quebec, and for the erection of fort for the security of Ordnance and Military Stores in Upper Canada. Intelligence sent by Elliot from Detroit is a fabrication of his own. Shall communicate to Liston all information respecting hostile designs; since the trial of McLane public tranquillity has been restored. Had reported fully on land grants, but sends all information that would enable those aggrieved to meet redress. Sends petition from applicants; orders for redress must come from Government. 48

Proceedings at a meeting of applicants for waste lands of the Crown at Missisquoi Bay on the 28th November, representing 29 townships (named). 52

Memorial prepared by a committee appointed at the meeting. 55

December 27, Quebec. Prescott to Portland (No. 69). Dismissal of Elliot, Superintendent of Indian Affairs in the District of Detroit, now Amherstburg. As soon as the management of Indian Affairs was transferred to the Governor of the Province, the greatest irregularities were attempted by the officers of the Indian Department, especially by Elliot, in direct violation of the regulations. McLean, in command at Amherstburg, firmly resisted attempts to obtain extraordinary issues of provisions upon false returns, and has represented other irregularities. Captain Mayne, of the Queen's Rangers, now in England, will give full information. The appointment of Major Fraser would contribute to the good of the service. 70

Extract of letter from Prescott to Russell, with account of Elliot's conduct and dismissal. 72

1798. January 23, Quebec. Prescott to Portland (No. 70). Sends minutes of Council on State business and on Crown Lands, both from 3rd September, 1797, the former to the 4th and the latter to the 2nd January. 75

5th October, 1797 Minutes, 5th October. Further report respecting the Public Accounts to 11th April. 76

Minutes, 4th November. Additional respecting the Public Accounts, with proceedings. 77

Memorial of Thomas Faunce, Naval Officer, for an allowance for collecting the pilotage duty, referred to committee. 82

to Minutes, 4th December. Report by committee on Memorial of Faunce. 83

Minutes, 2nd January, 1798. Further respecting the Public Accounts, with proceedings and details. 84

4th January, 1798. Petition of John Young, respecting duty charged on molasses. 105

Minutes, 4th January. Report of committee on Young's petition. 105

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5th October. 1797 Minutes on Crown Lands, 5th October. Lauchlan Maclean's application for warrant of survey. Page 108

William Walter for lot in Hinchinbrooke. 109

Minutes, 4th December. Respecting grant of the Magdalen Islands to Isaac Coffin. 110

Land for Rev. J. M. Bourg, in the Bay of Chaleurs. 110

Respecting table of fees for granting lands. 111

Respecting oaths to be administered to applicants for certain lands mentioned. 112

Report on the petition of William Walter, to take the oaths for lands in Hinchinbrook. 114

Applications for lands. 115

(The names are in alphabetical list at the end of the calendar of this volume).

2nd January. 1798. Minutes, 2nd January, 1798. Report on the grant of the Magdalen Islands; respecting fees to be allowed to the officers passing the same. 117

Report on petition from the Clerk of the Executive Council respecting fees. 118

January . Quebec. Prescott to Portland (No. 71). Sends naval officer's returns of vessels entered and cleared at Quebec, between 10th October, 1797 and 5th January. 123

February 7. Whitehall. Portland to Prescott (No. 15). Dispatches received. Report of Survey on Indian presents and requisition for clothing sent to the Treasury. Has communicated to Lord Grenville the recommendation that Captain Brice be employed in carrying into execution the fourth article of the treaty with the United States. Has received his information of the proceedings of the Land granting department and the regulations proposed. As a matter of expediency and policy, he is at liberty to carry out his proposed regulations, subject to the qualifications contained in the observations made on each of the regulations. Sends copy of Grenville's letter to Liston relative to the mutual delivery of military deserters; he is authorized to make arrangements with the officers commanding the military posts of the United States to that effect. 6

Qualifications on the regulations respecting the granting of lands in the townships. 10 to 20

February 9. Whitehall. King to Prescott. Transmits letters from the Treasury, relative to the report of survey on Indian presents. The strict scrutiny by the Board of Survey is highly approved of by the Duke of Portland. 21

February 9. Whitehall. Same to same. Transmits a memorial of Alexander Ellice for the opinion of the Land Committee of the Council. 22

March 10. Whitewall. Portland to same. Robert Shore Milnes appointed Lieut. Governor of Lower Canada. 23

March 19. Whitehall. Same to same and to Sir John Wentworth. Sends copy of an explanatory article signed by Lord Grenville and by Mr. King, American Minister, to be added to the treaty of amity, commerce and navigation between His Majesty and the United States of America. 24

May 13. Quebec. J. Sewell, Attorney General. Report that the Consolidation Act assented to by the King has lapsed, the two years prescribed by law having expired, so that the proposed proclamation can have no effect. 171

(In Prescott's No. 74 of 16th May.)

May 14. Whitehall. Portland to Prescott (No. 17). Owing to the serious inconveniences experienced in Newfoundland, by its great distance from the seat of command, a new commission has been issued to him (Prescott) as Commander-in-chief, in which the island and its dependencies are not to be inserted. The measure is not dictated by any want of attention to him (Prescott), whose conduct, both in a civil and military capacity, has given His Majesty the most perfect satisfaction. 25

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May 14, Quebec. Report by the Respective Officers on the state of the Ordnance stores, storehouses and magazines at Quebec. Page 173

Description of the stores, &c., follows. 176

(In Prescott's No. 74 of 16th May.)

May 14, Quebec. Prescott to Liston. Has communicated to the merchants of Montreal, the representations he (Liston) had made to the American ministry to prevent interruption to their trade from Detroit with the Indians. The taking possession of the island of Bois-blanc cannot be considered as hostile to the Indians. The importance of the communication respecting the designs of the French. The British navy will oppose a formidable obstacle, but he shall not fail to use means to discover the friends and correspondents of the person mentioned. Approves of his employing a trustworthy Frenchman to obtain the desired information. If he succeeds, money to pay for his services shall be regularly transmitted. He may get a pass to come into the Province. The impossibility of diffusing among Canadians information of what is passing in France. The change towards France in the United States will contribute to the security of the Province. Were it to fall into the hands of the French, the independence of the United States would be at an end. 180

(In Prescott's No. 74 of 16th May.)

May 16, Quebec. Prescott to Portland (No. 72). Transmits petition from Black, who was chiefly instrumental in bringing McLane to justice. His good character. Recommends he should get a grant of land. 136

John Black's petition. 138

May. 16, Quebec. Prescott to Portland (No. 73). Sends minutes of Council on State business from 5th January to 1st May. 140

17th February Minutes, 17th February. Memorial of the lessees of the Iron Works of St. Maurice respecting the renewal of the lease. Referred to a committee. 141

Minutes, 7th April. Further reports on the Public Accounts, with proceedings and details. 145

Business referred to commitees. 149

to Statements of the Provincial revenue and expenditure to be laid before the Legislature, with schedule; referred to the Board of Accounts for consideration. 149

Petition of the widow of Thomas Lee referred to a committee. 152

Report on the statements (p. 149) of revenue and expenditure. 153

7th April. Report on a letter from the collector at St. John's stating the difficulty of compelling persons to report at the Custom House. 154

Report on the memorial of the lessees of the Iron Works of St. Maurice. 155

Report on the petition (p. 152) of the widow of Thomas Lee. 159

May 16, Quebec. Prescott to Portland (No. 74). Dispatches received; his satisfaction at the approval of his conduct. When the proposal to give an additional tract of land to the St. Francis Indians is finally considered, care shall be taken to prevent the embarrassment caused in Upper Canada by Haldimand's grant to the Six Nations. The bill for removing the old wall and fortifications of Montreal was not taken up last session. An ordinance has been discovered, showing that the ground on which these stood was purchased from the inhabitants by the King of France, which removes the principal difficulties in its disposal. The two Houses were prorogued on the 11th, the day before the dispatch was received announcing the Royal Assent to the Consolidation Act, so that it could not be carried into effect. Opinion of the Attorney General that the time has elapsed during which it could come into operation. The bill may be brought forward anew at the next meeting of the Legislature. Sends minute of a meeting of the Respective Officers, showing the

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necessity for an Ordnance storehouse and magazine at Quebec; plans and estimates to be prepared. The papers tending to prove that the arms taken in the "Olive Branch" were intended for McLane's expedition, have not been obtained, but this will now be of no consequence, the vessel having been condemned. Encloses copy of letter to Liston relative to the views of the French on Canada, &c. Page 162

Extract from the Régistres du Conseil d'Etat dated 14th October, 1724 (p. 165), and of Ordinances 6th July, 1714 (p. 168), and of 7th September, 1726 (p. 169), respecting the walls and fortifications of Montreal. 165, 168, 169

June 11, Quebec. Prescott to Portland (No. 75). Thanks for the promised supply of Indian presents and of clothing for the Royal Canadians. Will faithfully carry out the regulations for land grants. The attempts of applicants to obtain large tracts of land for purposes of monopoly; their dissatisfaction at their schemes being frustrated. Will be able to bring into practical effect the intention to raise by the sale of land a fund towards defraying the civil expenditures of the Province. Has called the attention of the Council to the Clergy and Crown Reserves, so that they might be secured from depredation and rendered productive. Shall attend to the proposal for the mutual surrender of deserters. Prince Edward regrets losing 700 men, sent from Halifax to Cape Breton and Bermuda. Nothing yet discovered as to French schemes in Canada, but Liston's information is but too well founded. 189

Observations respecting the means of preventing depredations on the reserved lands in the new townships and rendering them productive. 193

June 12, Quebec. Prescott to Portland (No. 76). Has received letter with information of the appointment of Robert Shore Milnes to be Lieut.-Governor of Lower Canada, and also copy of the explanatory article of the treaty with the United States relative to the River St. Croix, which forms the boundary between the United States and New Brunswick. Suggests that it might be advisable to fix at the same time the boundaries between Quebec and New Hampshire. 198

June 12, Quebec. Same to King. Has received circular respecting attempts that may be made to introduce counterfeit dollars into the country. Had not issued a proclamation on the subject, in case of frightening instead of putting people on their guard. Had inserted an article in the *Gazette* which will answer the purpose. 200

Article on the base coin. 201

June 26, Quebec. Prescott to Portland (No. 77). The "Cotton Planter," with Indian goods for 1799, has not arrived; it is feared she has sunk. The other ships have arrived. Desires that another ship be sent out with the goods required. Sends copy of the previous requisition. 214

Requisition. 215

June —, Whitehall. Portland to Prescott. Encloses letters from Liston, respecting further attempts of France to raise commotions in his (Prescott's) Government. The first relates to Upper Canada, a copy has, therefore, been sent to President Russell. The friendly disposition of the United States will throw obstacles in the way of such attempts, but the nature of the spirit which characterizes the French system, will lead him not to relax in his attention to every motion it may make. 124

June —, Whitehall. Same to same (No. 18). Dispatches received. The regulations for granting lands stated at length. The advantages to loyalists not to be extended indefinitely. Concerning fees. How lands should be sold so as to guard effectually against speculators and land jobbers. The disadvantage of offering land in too large quantities or making the sales too frequent. It may often be prudent to make the sales barely equal

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to the demand but they should never outrun it. Concerning the minimum price at which lands shall be allowed to be purchased. Refers to previous instructions. The late instructions relative to the Indian Department in Upper Canada were intended to make the officers directly responsible to the Executive Authority in that Province and to enforce the strictest regularity and economy. Elliot's dismissal approved. Fraser has died in the West Indies. Gabriel E. Juchereau to be a member of the Legislative Council. Page 126

July 25. Quebec. Prescott to King. Has received his letter respecting M. Pierre Gilbert; shall notify the particulars when called on. 202

July 26. Quebec. Same to same. Is surprised at receiving his (King's) letter of 9th February, duplicate of memorial by Alexander Ellice, respecting the seigniory of Beauharnois. Memorial, with answers, plan, &c., referred to a committee, which reported that they could not discover where the answers were not satisfactory. Sends copy of the memorial, of the answer, of letter from the agent of Ellice and of the answer, with a map of the premises from actual survey, showing that the sketch annexed to the memorial is erroneous, and that the boundary lines exceed the limits of the actual grant. 203

Memorial by Alexander Ellice, (p. 205). The answer is noted on the memorial. 206

Rough plan of the seigniory of Beauharnois. 207

Letter from Francis Winter, dated 8th March, to Mr. Ryland, Secretary, that only a portion of the boundary line (specified) of Beauharnois requires to be surveyed. 208

Plan of the seigniory enclosed. 209

Ryland to Winter, dated 22nd March, respecting the boundaries of Beauharnois. 219

Coloured plan by Holland, showing Beauharnois and adjacent townships. 212

August 1. Whitehall. Portland to Prescott (No. 19). Dispatches laid before the King. Is authorised, from the good report of him, to grant Black a tract of land. The purchase by the King of France of the ground on which the walls, &c., of Montreal stood, removes the chief difficulty, but the inhabitants are to receive it as an act of grace. Is sorry at the late arrival of the assent to the Consolidation Act. If, after consulting the Chief Justice and other legal authorities, doubt of its validity remain, as in the opinion of the Attorney General, a new bill should be introduced next session. In regard to Liston's communications, has confidence in his (Prescott's) vigilance. Is glad to see the attention paid to the public accounts by the Executive Council. 183

August 2. Whitehall. Same to same (No. 20) Desires him to recommend Mr. Gilmer to the Catholic Bishop of Quebec, that he may have the care of a parish, or some other situation as a clergyman. 186

August 2. Whitehall. Same to same (No. 21). Change to be made in the mode of paying the purchase money for lands bought from the Crown. 187

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1798. August 1. Quebec. Prescott to Portland. Observations on the conduct of the Executive Council in regard to the waste Lands of the Crown, and on the attempts to secure a monopoly. Letter written with his (Prescott's) own hand, as he considered some of the observations improper to be contained in public dispatches. Page 401

1798.
August 1, Quebec. Portland to Prescott (No. 78). Sends naval officer's returns of vessels entered and cleared at Quebec between 5th April and 5th July. Page 216

August 1, Quebec. Same to same (No. 79). Sends exemplifications of the Acts passed last session. Manuscript Journal of the Legislative Council and printed copies of the Journal of Assembly. 217

Journal of the Council. 218 to 269

Journal of Assembly. (Title only, the printed volume being here). 270

August 7, Quebec. Prescott to Portland (No. 80). Sends requisitions for clothing for the 1st and 2nd battalions of the Royal Canadian Volunteers. 272

Requisitions. 273, 275

August 13, Quebec. Prescott to Portland (No. 81). Sends minutes of Council on State business from 2nd May, and on the waste Lands of the Crown from 3rd January, both to the 9th of July. The report on waste lands of 20th June, and his communication thereon may excite surprise; his explanation in other letters. No positive attempts have been made by the enemy on the Province, although spies have been passing in and out. The precautions taken to prevent the improper use of passports by persons employed by the enemy. 318

11th June Minutes, 11th June. Thomas Cary to act as Clerk of the Council in the absence of Ryland. 320

Minutes, 9th July. Report on Public Accounts with proceedings, &c. 320

to Report of the committee for the better preservation of Government. Arrest of Benjamin Seaman. 337

Statement of Contingent Expenditure. 343*a*

Minutes on waste lands, 11th June. Applications, royal instructions, &c., referred to committees. 344

9th July. Minutes, 9th July. Report on applications for specific quantities of land. 354

Lists of applicants. 357, 362

(The names are in alphabetical list at the end of the calendar of this volume.)

Report on application of Alexander Ellice. 366

Comments by Prescott, on the report, with extracts of previous reports, &c. 373 to 395

August 13, Quebec. Prescott to Portland (separate and private). Long and elaborate statement of the schemes made to obtain a monopoly of the waste lands of the Crown in which members of the Council were involved, and of the manner in which these schemes were carried into effect, which easily account for the delay and difficulties in which the land business had been so long involved. The proofs of complicity. The character of many of the applicants for townships, some of whom did not posses a quarter of the amount necessary to pay the fees for taking out the patents; these were evidently employed to shield the persons who were trying to elude the regulations. Sends copies of papers in support of the charges, namely:

1. Copies of letters from the chairman of the Council committee (the Land committee) to the late Mr. Ruiter one of the commissioners for administering the oaths of allegiance, &c., to the applicants for land, authorizing him (Ruiter) to employ proper persons to go into the neighbouring States to procure such people for nominal or apparent grantees (commonly called Associates) as could be depended on, for conveying all but 200 acres to other persons.

2. Copies of the instructions given by Ruiter to Levi Presbrey, one of the persons employed by him for that purpose.

3. Copy of the advertisement published in several of the newspapers in Vermont and neighbouring States, ointly by Presbrey and Amos

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Lay, who was also employed by Ruiter, under similar instructions, with copy of certificates given by them in conformity with the advertisement.

4. Deposition of Simon Z. Watson, a land surveyor employed by the monopolists, but who left them on finding that their object was to get the land away from former applicants without their privity or consent; the case of Shefford. The inefficiency of the out of door agents to conduct this business; they seem to have relied on influence at the Council Board, but the imbecility shown in the practical working of the plans of the monopolists does not lessen the existence of the plans themselves; how the instructions for administering the oaths are fitted to promote the schemes; instances of how they are used. The only remedy is to redress the grievances of the old settlers and then to dispose of the land, from time to time, at open and public sale. The good effect of the new regulations, which have become known, although not yet in print. Objections made to the new regulations by members of the Council on the ground that there will not be land left for raising a revenue; the erroneous nature of the statement. The chairman of the Land Committee has been no more culpable than other members, although the papers sent reach only him; he has been less prudent. He is sorry for the part he has acted and would now vote for putting the new regulations into immediate execution, were it not for certain other members. Page 277

The documents, of which a list is given in the letter, relating to the land grants. 294 to 317

August 14, Quebec. Prescott to Portland (No. 82). Sends estimate of the expense of building Ordnance storehouse, &c., at Quebec. 396

Estimates. 397, 399

August 15, Quebec. Prescott to Portland (No. 83). Further respecting the waste lands of the Crown. Sends copy of memorial to show that the committee of Council was mistaken in thinking that the new regulations would be unsatisfactory. The cause of this mistake stated in other letters. 411

Memorial by W. Grant for self and associates in the township of Grantham. 413

List of the leader and his associates for Grantham. (Names in list at end of volume.) 419

October 11, Whitehall. Portland to Prescott (No. 22). Dispatches received. The substance of the letter No. 76, respecting the boundaries between Lower Canada and New Hampshire shall be communicated to Grenville. Is afraid it is too late to replace this year the Indian stores lost on board of the "Cotton Planter." 421

October 11, Whitehall. Same to same (No. 23). The necessity for unity in the Council, which alone can prevent injury to the interests of the King and the Province. As there were circumstances of a local nature which he (Portland) could not guard against, regrets that copies of the correspondence were not laid before the Council, that it could have been more clearly apprised of the regulations proposed for his consideration and of his observations thereon, so that the Council could have formed a more correct view of the whole design, and could from local knowledge have corrected any errors, without departing from the general principle of the regulations. Remarks and suggestions as to the manner in which the regulations should be carried out, specifying the different classes and circumstances by which these may be affected. 423

October 11, Whitehall. Same to same (Private and confidential). The fatal effects of the differences which have arisen between him and the Executive Council. Appeals to his own good sense, integrity and zeal to exert himself to re-establish union between himself and his Council, and in regaining the assistance of Chief Justice Osgoode, of whose character he (Portland)

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speaks in high terms, although he has failings like other men. "The "Governor of His Majesty's North American Provinces cannot lower "himself by placing the Chief Justice of Canada on his right hand, and "being known to advise with him on the best means of composing and "reuniting the jarring interests of his Government, nor can you render "a more acceptable service to His Majesty, or any one which can so "effectually tend to promote His wishes for the welfare and prosperity "of his North American subjects." Page 435

October 18, Whitehall. King to Prescott. The Duke of Portland approves of his mode of cautioning the inhabitants of Lower Canada against the attempts to introduce counterfeit dollars. What he (Prescott) has stated relative to the memorial of Alexander Ellice sets aside his pretensions. 438

October 19, Whitehall. Portland to the same (No. 24). Shall give directions to comply with requisition for clothing the 1st and 2nd battalions of Royal Canadian Volunteers. The satisfaction it would give to see these battalions approaching their full complement. Has no doubt the estimate for building the ordnance storehouse and powder magazine on Cape Diamond is as low as possible. 439

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LIEUT.-GOV. R. PRESCOTT AND MISCELLANEOUS—1798.

Q. 81-1.

1798. August 22. Quebec.

Prescott to Portland (No. 84). Brant's ill-temper originated in the delay on the part of the Government of Upper Canada in fulfilling the promises respecting the land on the Grand River. That being settled, it is difficult to account for his conduct, except that he was not sincere in declaring himself satisfied. He seems disposed to begin a quarrel with the Seven Nations of Lower Canada, respecting assertions that the Mohawks had sold a part of their land situated within the boundaries of the United States. The Caughnawagas invited by Brant to Buffalo Creek to settle the matter. They refuse and invite Brant to come to Caughnawaga. New York newspaper reports contradicted by the Caughnawagas, who are advised to go to Buffalo Creek. Brant's attempts to take the management of the Missisaugas. A faithful adherence on the part of Upper Canada to engagements must cause Brant's attempt to become head of the Missisaugas to fall to the ground. From the favourable disposition of the Americans, Mr. Russell will not have occasion to apply for means to strengthen the Government. It would be highly imprudent to detach any of the forces from Lower Canada, even were there barracks in Upper Canada to receive them. State of the troops in Upper and Lower Canada. No dependence to be placed on the militia of Lower Canada in case of an attack from the French; the only reliance is on the troops and a few natural born subjects. His anxiety for the arrival of the expected regiment. G. E. Taschereau appointed to the Council, in room of the late Chaussegros de Léry. McKee doing the duty of Elliot in the Indian Department; the good effects of the latter's dismissal. Page 4

Report in the New York papers respecting the arrival of the Caughnawagas. 10

Contradiction by de Lorimier to the reports that the Caughnawagas were in New York on their way to Philadelphia. 13

Messages to the Mohawks from the Caughnawagas. 14

October 1. Quebec.

Prescott to Portland (No. 85). Arrival of Jules Le Fer, selected by Liston to ascertain and report whether there were any plans on the part of the French to regain possession of Canada. He reports that emissaries were here, but there are none at present, pending the final decision of the Directory; that Volney has returned to France to assist in concerting measures for carrying out the plan of attack by the St. Lawrence and by way of Upper Canada. The force here is sufficient to preserve internal tranquillity, but not to afford assistance to Upper Canada, in case Collot's

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plan should produce difficulties there. The militia of Lower Canada would have been in a better state had the settlement of the Crown Lands proceeded in any rational manner; repeats statements of the private views of Councillors respecting these lands, and gives his reasons for submitting the plan contained in his letter No. 67 of 16th December. These are given at length and the manner of settling the waste lands discussed; the mode of meeting the claims of those who had served and suffered losses in behalf of Government; the benefit to be derived from an equitable settlement of the lands and the dissatisfaction caused by delay. The necessity of attending to the various circumstances and qualities of the land to be disposed of by grant or sale, and the precautions to be used to protect the actual farmers against speculators and land jobbers. The concurrence in opinion between him and President Russell as to shortening the term of payment for lands bought. The prejudicial effect of the views held by the Council. Page 21

United States Act for the relief of refugees from the British Provinces. 40

October 23, Quebec.

Prescott to Portland (No. 86). Sends minutes of Council on State business and on Crown Lands, both from 15th July to 20th September, and so much of the minutes of 11th June and 9th July as relates to the regulations for administering redress to old applicants. Complains of the gross misrepresentations in the Council's report, which he had treated very mildly in his observations on the minutes of Council of 9th July. But after the report of the 9th of August, kept back till the 16th when the fleet had sailed, he expresssed more firmly his disappprobation at the attempt to mislead him. Had, however, desired that their misrepresentations should not be exposed and therefore proposed that the reports and remarks should not be entered on the records, but put on a special file to be open only to the Governor and Council, but the Chief Justice advised that they should be entered but not contrary to the standing orders, be open to inspection. The proceedings have been printed by some of the applicants, so that confidence in the honour and good faith of His Majesty's Government, which had been nearly extinguished, is beginning to be restored. Sends printed copies of the extracts. Had disapproved of, but not interfered with, the proposal to print the proceedings of the 20th of September. Sends affidavits, &c., to show the obstacles thrown in the way of loyal and faithful applicants obtaining grants ordered by the Governor-in-Council. In addition to the evidence sent in letter No. 83 of 15th August, sends copy of address lately presented by applicants who signed the petition in No. 68 of 23rd December last, showing that they are sincere in their intention to settle the lands, and that the new scale of fees will not be a material burden as compared with what they now suffer by the delay. Sends copy of the answer. Reasons for not, in his answer, holding out encouragement. Remarks on the present land regulations and proposed alteration. Other adresses received; remarks. 45

Minutes, 20th September. Public Accounts referred to a committee. 57

Minutes on Crown Lands, 20th September. Remarks of Prescott on his proposal not to enter the proceedings on the minutes, but to file them, had been overruled. His regret at this as the minutes were open to the inspection of all concerned, but by the other course a temporary difference of opinion might be reconciled before the proceedings were entered; the statement elaborated. Remarks on the report of 9th August. Report in full, the paragraphs numbered in red ink being the subject of the Governor's remarks. 58

The journal being addendum to report from 16th July to 20th September, (the Governor's remarks at p. 123). 95 to 179

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Extract from the minutes of 11th June. Page 180
Extract from the minutes of 9th July. 189
Extract from the minutes of 11th October, 1792. 202
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Affidavit by Nathaniel Coffin of the obstacles in the way of settlement. 242
Report of the proceedings at a meeting of the committee of applicants held on the 25th and 26th July, with copy of the memorial agreed on. 243
Answer by Prescott to memorial. 250
Address respecting Crown Lands, dated at Newport, signed by Edmund Heard on behalf of the inhabitants. 253
Address from Montreal on the same subject. 257
Address from William Henry on the same subject. 258
Answer to the latter. 260
Proceedings of an adjourned meeting of applicants at Missisquoi Bay. 261
Memorial adopted. 263

October 23, Quebec. Prescott to Portland (No. 87). Further respecting the waste lands of the Crown; a long and elaborate statement of his differences with the Executive Council, with relative documents. 277

Address signed by the following members of the Council, in answer to Prescott's remarks: W. Osgoode, Chief Justice; the Anglican Bishop of Quebec; Hugh Finlay, F. Baby, Thomas Dunn, and John Young. 321

Deposition by Thomas Cary as to the conduct of members of the Executive Council towards him. 333

November 6, Whitehall. Portland to Prescott (private). Next session of the Legislature should give an opportunity to him to notice the King's attention to the representations regarding Courts of Justice, and to recommend the passing of the Consolidating Act to which the Royal assent has been given. 2

November 6, Whitehall. Same to same (No. 25). That the salary for the Registrar and Clerk of the Executive Council is to be increased to £400, an addition of £80.5s., out of which he is to defray every expense incidental to the office. 3

LIEUT. GOV. R. PRESCOTT, MISCELLANEOUS, 1798.

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July 10, Quebec. Lieut. Col. Dalton to Prescott. Swearing to his innocence of the charges brought against him, of being disrespectful to him (Prescott). Page 593

July 10, Quebec. Prescott to Dalton. Accuses him of having entered into a faction with Ryland and Major Thomas to remove Captain Baldwin from being Aide-de-Camp. 593

July 10, Quebec. Dalton to Prescott. Denials with solemn oaths that he was concerned in any faction with Ryland. 595

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January 23, London. Arnold to King. Reminds him of his promise to speak to the Duke of Portland for directions to send an order to Upper Canada for the usual grant of land to field officers, that is 5,000 acres for himself and 1,200 to each member of his family. His family consists of his wife, six sons and one daughter (names given), making for them 14,600 acres. But as he commanded a legion of cavalry and infantry, which he was at great expense in raising, he thinks himself entitled to 10,000 acres, which, if allowed, would give him 19,600 acres, to be granted to him for himself and family, and to be selected where his sons or agents may choose,

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where there are ungranted lands. To this quantity he hopes His Grace may make an addition, as some compensation for his (Arnold's) losses. Calls attention to a balance due by the Treasury to contractors for the supply of provisions to the West Indies. Page 533

February 23, Edinburgh. Memorial of J. Plenderleath, Deputy Barrack Master General of Canada, to the Duke of Portland, stating his services and the circumstances under which he was deprived of his situation, praying for such relief as his services may deserve. 537

April 19, London. Tatham to King. Since the release on bail of the arms taken by the "Olive Branch," Ira Allen has, through the United States' Minister, offered to give the immediate use of them to the British Government. Has opened overtures on this basis with Lord Cornwallis. Explains the act in case of being misunderstood and states the reasons that should lead to confidence being placed in him. His favourite policy towards America has been conciliation and consolidation. It is a good point to be officially well with Congress, but a strong hold in the hearts of the people is a better. The bad effects of the condemnation or detention of the arms, which would be removed by a contract with the proprietor, and he did not see why the arms could not be received on bail, so as to accommodate Allen. Suggests, however, that it would be better to make the man serviceable, owing to his influence in the United States. Sends map of the country concerned, where 100,000 effectives might be added to a prudent political disposal of the arms in question. Allen will be able to satisfy the point of proof reserved. 542

Map of the State of Vermont, drawn under the direction of Ira Allen. 546

May 19, Quebec. Ryland to Prescott. That he intends to resign his office of Civil Secretary; his reasons for continuing in the position when Dorchester was recalled. The change of treatment during the last twelve months. Had been informed that he was charged with being in a plot with Colonel Dalton and Major Thomas to remove Captain Baldwin from being aide-de-camp; positively denies the truth of the accusation; appeals to him (Prescott) if he had ever said a word against Baldwin, yet his displeasure is still kept up, in such a manner, however, as to prevent any explanation. Cannot under the circumstances continue to serve longer, but he has the consciousness of having always faithfully executed the duties entrusted to him. The strong inducements he had to return to England with Dorchester; now that his prospects are destroyed and he can no longer hope for any advantage from his position, he would try what his friends could do to procure him a more eligible provision. The qualifications of Cary to succeed him. Sends two volumes containing the abstracts of all the civil correspondence, &c., one having those received or written during his (Prescott's) time; the other a general schedule of letters and documents on record in the Office of the Governor's Secretary's comprehending those left by Haldimand, Clarke and Dorchester, with a memorandum of the books in which the correspondence is entered. Every part of the official business has been communicated to Gale for the last twelve months, although the intention to resign was not communicated to him. 596

Contents of Ryland's desks at the Chateau (in detail). 603

Contents of the boxes. 604

May 21. Ryland to Gale. Sends a form of leave of absence to be made out fair for the Governor's signature. Desires to know if His Excellency approves of Mr. Cary acting as Clerk of the Council. Asks for copy of the schedule (pp. 603 to 606), with a certificate that the papers were examined in presence of the Governor and found to correspond. 607

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A note states that Cary had called and mentioned that the Governor had himself examined the papers and found them to correspond with the schedule. A note is appended in Prescott's own hand writing to say he had no objection to the leave of absence, and would look over the books and papers when he had time. Page 608

May 31. Quebec. Osgoode (Chief Justice) to King. Introduces Ryland; his good qualities, &c. 554

May . London. Memorial of the Marquis de Vaquier (in French) relative to his going to Canada to enter on the cultivation of hemp; asks for a salary of three guineas a month, or an advance of £200, which he would repay in ten years. This, with the sum he has, would enable him to found the important industry he has in view. 547

June 3. Quebec. Chief Justice Osgoode to Ryland. Regret at his departure; the esteem in which he is held by the persons of better condition. His own high sense of his (Ryland's) merit, &c. 609

June 3. Quebec. Mgr. Plessis, Coadjutor of Quebec, to Ryland (in French). The general regret at his departure; the esteem in which he is held by the Bishop and himself. 611

There is also a letter from W. Deane Poyntz, Deputy Paymaster General, to Ryland, dated New York, 16th December, 1782, that he had done all in his power for his (Ryland's) son, who had discharged his duty with fidelity and honour; the result is due to his father's teaching. 613

June 9. Quebec. John Young to Ryland. Regrets the loss sustained by his departure, and still more the necessity that caused his resignation. Hopes for advantage in the opportunities he (Ryland) will have in representing the state of the Province, as the Provincial Administration reflects no great lustre on the King's Government, nor holds out flattering prospects to his Canadian subjects. The services of Black and the suspicions attached to him from his zeal to discover the plans of the French, which led to his arrest and loss of business, &c. His election to the Assembly and his support there of Government. He is entitled to consideration on the part of His Majesty's Government. 615

June 23. London. Arnold to Portland. For grant of land. The letter is substantially the same as that to King, Under Secretary. 536

July 5. London. Sir Joseph Banks to same. The attention paid to Cook when he called at Kamschatka on his voyage round the world, led the Board of Admiralty to return thanks to the Russian Government and to present a piece of plate to the Commandant, Colonel Van Behm. Asks that a tract of land in Canada be given to Behm's son-in-law, the chevalier de la Garde, who had lost everything by the revolution in Poland. His father-in-law will supply superintendents and labourers; sufficient remains of the ruins of his fortune to enable him to prosecute his undertaking successfully. Encloses certificate and documents which will explain the whole business. 549

July 13. Falmouth. H. W. Ryland to King. Sends package from Chief Justice Osgoode. Had thrown over board other letters, when the ship was captured by the "Gironde," according to Osgoode's instructions. Has obtained six months leave of absence; asks for an extension of twelve months from the present time, will arrange for the execution of his duties as clerk of the Executive Council. 552

August 9. Quebec. Draught of the committee of the Council respecting the waste lands of the Crown, entering into details of the motives that led to the regulations communicated in the order of reference of 11th of June. The report fills 28 pages. 621

August 14. Quebec. John Young to Ryland. The state of affairs in the Council between the members and Prescott, who has ordered all its records to be open,

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which are getting into circulation. The consequence of this contempt of the Council is not difficult to foresee, but what may ultimately arise from this and from a door being opened, almost without a shadow of restraint to the occupation of the waste lands, is not so clear. An open rupture has taken place between the Governor and Council and left the field to secretary Gale, who is now understood to be sole adviser. The conduct of Cary in declining to comply with the directions of the Council; is supported by Prescott. Details of Prescott's treatment of the Privy Council, with remarks. The attempt to detach the Bishop of Quebec from the other members of the Council, which did not succeed How the reports of Chief Justices Osgoode and Monk were both entered on the minutes. The seeds of mischief sown in the country; the Council must either get a new Governor or the Governor a new Council. The difficulties caused by delay in settling the question of Church lands. The consequences of Prescott being so ill advised as to go on granting the lands alone. Reports shall be sent to the Board of Trade and to Messrs. Nepean, King and Watson, besides Prescott's to the Duke of Portland. The affairs of Government must be put in a different train or it will crumble to dust. He wishes to see a firm and efficient government. The reports circulating about him (Ryland) at the great house, &c. Page 577

(In Ryland's letter of 28th September).

August 11. Quebec.

Chief Justice Monk to Dundas. Long statement of the position of affairs between the Governor and his Council, the withdrawal of the Governor's confidence from Chief Justice Osgoode; many leading characters standing aloof from His Excellency. The zealous part the Governor has taken in forwarding grants of land and the policy of advising that the grants should be withheld for a time has been used to cause a belief that the Councillors are interested. Comments on the course of the Governor in making public all the proceedings of the Council, which has excited the public mind; the insinuation that members of the Council have taken an improper interest in land grants, and by speculations superinduced evils of which the Council now complains. His fears that by the execution of the present directions, the best part of the ungranted lands will be given up to land jobbers; that the source of a just revenue will be greatly exhausted; that the country will be filled with bad subjects, and that a spirit of discontent will follow. The attempt to persuade the Council to treat as private and not enter in the minutes, dispatches communicated by the Governor; the prejudicial effects of His Excellency's general policy in respect to the Council. His opinion as to the fees on land grants. Suggests:—1. That lands should be granted in all cases where the faith of Government is strictly pledged. 2. That the peculiar circumstances of every leader, or applicant, should, after local and due consideration, entitle him and his companions to that portion of land which full evidence of these circumstances should in equity and justice direct. 3. That in the grants to be made, the King's servants in Canada should be guided by the Governor's proclamation in February, 1792, so far as respects actual promises for specific quanties of land, and by Mr. Secretary Dundas's letter of Instructions to the Governor of the 2nd October, 1793, upon the equitable claims of any. Observations on these suggestions. Submits, on a grant or sale of land with respect to a revenue: 1. That a plan should be prepared, reported by the Governor and Council and approved, previous to any step taken thereupon for a sale of the waste lands. 2. That a small portion of fees should be allotted to the King's servants on such sales. 3. It is part of the laws of Canada, that every adjoining neighbour shall bear an equal part in ditching and fencing lands, and also shall be bound to clear the woods for half an acre from the line of division of the enclosed grounds. Remarks. Sends

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letter from a member of the Executive Council to his friend in London on the real cause of the apparent supineness in joining in preparations for defence with other parts of the Empire. Page 649

Enclosed. Extract showing the cause that no aid has been offered by the Province of Lower Canada to the national defence. 667

Also conclusion to a report of Council in Monk's letter referred to therein. 671

August 15, Northampton. Ryland to King. Encloses a letter to the Duke of Portland concerning the clerkship of the Executive Council of Lower Canada, that it may be put on a more respectable establishment; has advanced no other claim than what arises from the nature and extent of the duties. His (King's) situation enables him to judge of his (Ryland's) claims on other grounds. Has avoided, in the letter to the Duke of Portland, saying anything of Prescott's unjust and illiberal conduct, but he may remark that after five years' service in an office of great trust, he has returned poorer than when he left. A comparison of his salary with those of his inferiors in office, who have other official sources of emolument. Has been obliged to resign his office of secretary to Prescott, whose conduct towards him has no parallel. Besides he had lost the hopes of advancement he had if he had returned with Dorchester. 555

Letters introducing Ryland to the Bishop of Lincoln. 559

August 15, Northampton. Ryland to Portland. Stating the circumstances under which he was appointed clerk of the Executive Council; his salary, allowances, &c. The disadvantageous position occupied by the clerk of the Executive Council; prays for a fixed salary and a new commission specifying the same. Asks for twelve months' leave of absence, stating the arrangements he had made for the execution of the duties of the office. 561

August 15, Quebec. F. de Chambault to Ryland (in French.) His departure had caused general displeasure; it is a satisfaction to his friends to see that the friendly sentiments are dictated by his own merit. The charges brought by Prescott of his divulging secrets. In this charge malice is losing its time. The sad state of affairs; the Governor quarrelling with the Council and sees no one. 585

August 24, Northampton. Ryland to King. States the polite and humane conduct of M. E. Cazalés, late of the French privateer "Gironde," now a prisoner at Porchester. How he and his prize crew behaved towards the passengers and crew of the "Lively," before she was recaptured by the "Cleopatra" frigate. Asks for his release and that of the other officers, as a mark of the esteem which their exceptionally kind treatment of prisoners had caused. 566

August 24, Northampton. Same to same. Letter received. Could furnish additional reasons in support of his application concerning the Council office. Asks that the original and duplicate of his leave of absence be sent to Prescott. 569

August 26, Northampton. Same to same. The exchange of Cazalés for Captain Preston. Asks that steps be taken to have his (Ryland's) fellow passengers, John Black, Henry Cull and Henry Davis, exchanged for the inferior officers with Cazalés. (Black made his escape from Bayonne, see p. 675.) 570

Enclosed. Letter from Alexander Henderson, dated at Edinburgh 22nd August, to Ryland asking for his influence to obtain the exchange of Captain Preston. 572

September 15, Northampton. Ryland to King. In favour of the claims of John Black. 574

September 26, London. John Black to same. Sends a document in consequence of their last conversation. Offers of service, &c. 589

Enclosed. Remarks on the most particular discourses that took place on politics whilst he was in the hands of the French. 590

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(Black was taken prisoner on his way to Quebec, and carried into France. He arrived in London about ten days before the letter was written).

September 28, Stamford. Ryland to King. Sends two letters from gentlemen in Canada. Believes it unnecessary to enter into a refutation of charges that may be circulated against him, as he does not think Prescott would be so weak or ill advised as to attempt to injure his (Ryland's) character in the Colonial Office. How, from his position with regard to the Executive Government, he could justify himself. Page 575

September 28, Brompton. Walter Blake. Memorial respecting his being allowed to retire on half pay. 586

Documents accompanying the memorial. 587, 588

October 23, Quebec. Continuation of documents sent with Prescott's No. 87, of 23rd October, (Q. 81-1, p. 277), respecting his differences with the Executive Council on land grants. The documents include orders, reports of land committee, memorials and list of applicants for various townships, &c. 348 to 499

October 25, Quebec. Prescott to Portland (No. 88). Sends list of the Executive Councillors. 500

List. 501

October 25, Quebec. Prescott to Portland (No. 89). Sends copy of memorial from M. de Lotbinière, proprietor of the seigniory adjoining the line between Upper and Lower Canada, to have the boundary regularly established. 502

Letter from Chartier de Lotbinière referred to. 503

Minutes of Council of 26th November, 1796, describing the boundary between Upper and Lower Canada. 506

October 25, Quebec. Prescott to Portland (No. 90). Sends requisition for goods to supply the Indian stores for the year 1800. Clothing for the Royal Canadian Volunteers, and the brass mortars and howitzers, have not yet arrived. 510

Requisition. 511

October 25, Quebec. Prescott to Portland (No. 91). Sends naval officer's returns of vessels entered and cleared at Quebec, from 5th July to 10th October. 515

October 25, Quebec. Same to same (No. 92). Has received dispatch stating the arrangement for a separate command in Newfoundland. Thanks for approval of his conduct. Is sorry that Mr. Gilmer did not accept a living worth $300 a year, until something better became vacant. Sends printed copy of the laws. 516

October 26, London. Lord Amherst to ——— That books and papers, respecting the Jesuit Estates, which have not been found, must be in the office of the Secretary of State. 674

October 27, Quebec. Memorial to the Duke of Portland from members of the Executive Council in reference to the charges by Prescott respecting the decisions concerning Crown Lands. (Four of the enclosures, A. B. D. and E., previously copied, the pages at which they appear being marked where mentioned in the memorial, are here omitted.) 522

Enclosure C. Answer by the Council to Prescott, that the records generally are not open to investigation, as held by Prescott. The memorial states that this should have formed part of the minutes of 20th September, but was omitted and a paragraph inserted by the Clerk to take its place, in accordance with Prescott's order. (For this paragraph see Q. 81-1, p. 64). 527

December 6, Whitehall. Portland to Prescott (No. 26). It is evident that Brant wishes to connect as many Indians as possible and then to manage their concerns as a general agent. His designs to be prevented. Considering the advantages of the Indian Superintendents over Brant, is surprised that he or

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any other Indian can counteract their measures. The state of the Indians and of the French Marine should render the additional force he requires unnecessary, but he must, of course, not relax in his vigilance. Page 518

December 6, Whitehall. King to Prescott. Brigadier General Murray is placed at the head of the Council in Cape Breton and in the chief command of that colony, in the absence of the Governor and Lieut. Governor. 520

December 6, Whitehall. Same to same. That in all future grants of land in Lower Canada, except in cases mentioned in the Instructions, only mines of gold and silver are to be reserved. 521

December 17, London. Memorial of John Black to Prince Edward. Had brought letters of recommendation from the Governor and Council to the Ministers, but being taken prisoner by the French had been obliged to destroy them. Prays for a grant of land or employment either in Canada or elsewhere. 675

December 20, London. Another memorial, by Black. Duplicates of letters from the Governor and Council, originals of which he had destroyed, have been received by the Duke of Portland. He now urges his claim for the township of Barford and for two islands off William Henry, suitable for ship building. Points out posts for which he is qualified, that of Captain of the port, or Kings Ship Builder at Quebec, or would go to Alexandria or Minorca, if they are reduced. 680

December 22, London. Lieut. Colonel Vesey to King. Is desired by Prince Edward to enclose memorial and a letter from John Black and to recommend his application to favourable consideration. 683

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1798. June 24, Amherstburg. Return of provisions and rum issued to Indians at Amherstburg and Chenal Ecarté from 25th June, 1796, to 24th June, 1798. Page 27

(In Prescott's No. 93 of 13th November.)

September 9, York. Peter Russell to Prescott (No. 63). Application received from North-West Co. for land from half a mile below the Falls of St. Mary to the uppermost part of Pointe au Pin, with the channel and small islands, North of Belle Isle, so as to be able to carry on their trade securely. The justice of their claim admitted; doubt of the power of the Council of Upper Canada to comply with the prayer of their memorial in its full extent. The Council advised him (Russell) to take measures for a cession from the Indians, of a tract about 40 miles from the North-West end of St. Joseph's, and about 12 miles back, from which such portion might be granted to the North-West Co., as should be hereafter judged expedient. McTavish instructed to sound the Indians through McKenzie. The Indians are reported to be willing to cede as much land as is desired. To test their expectations, a tract of ten miles square was bought for £95. 10s. currency, with which they are satisfied. Believes that the whole tract could be bought for less than £300. The Company desire to obtain the Royal permission to occupy the land purchased, should Government not be inclined to ask from the Indians the cession of the whole tract. Sends the documents relating to the purchase, and asks that Sir John Johnson be instructed to enter into a provisional treaty with the Indians. The prosperity that would follow the trade if attracted to York. 10

The memorial of the North-West Company referred to. 14

Resolution of the Committee of Council on the memorial. 18

Deed of sale by the Indians. 19

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Account of articles given in payment. Page 24

(Russell's letter and accompanying documents in Prescott's No. 93 of 13th November).

November 8, Quebec. Prescott to Russell. The desirableness of having communication through British territory. The proposed purchase, if it can be made at so easy a rate and without the interference of Brant or any other, would seem to be advisable. But it may not be improbable that the grant asked for by the North-West Company is to secure a monopoly. It would, therefore, be prudent to consult His Majesty's Ministers before anything be done, particularly as others are said to be making arrangements for employing considerable capital in the trade, who may have submitted additional information to His Majesty's Ministers. 25

(In Prescott's No. 93 of 13th November).

November 13, Quebec. Prescott to Portland (No. 93). Sends documents relating to an application from the North-West Company for lands at the Falls of St. Mary, forwarded by Russell. Refers to the dismissal of Elliot in 1797 and sends a return of the issues of provisions and rum for two years at Amherstburg and Chenal Ecarté, showing the saving in one year of 21,642 rations of provisions, 1,191 gallons of rum, and 7,238 bushels of Indian corn, amounting at Quebec prices to upwards of £3,000, exclusive of the cost of transport, and that the Indians had actually received more this year than last, except of rum. 8

December 12, Quebec. Same to same (No. 94). Russell's information of the transactions of General Collot with the Western Indians. The dangerous cloud over Upper Canada; his desire for regular troops before spring in case the Province should be attacked. He (Prescott) does not think the danger to be so great as Russell apprehends, unless the French should attack Lower Canada, in which case the Western Indians might attack Upper Canada as part of a more extensive plan of operation. Had informed Russell that the detachment of the Queen's Rangers would be relieved at the Forts by the Royal Canadian Volunteers and sent to York. This is all the regular force that can be sent. Believes that the Upper Province is stronger now than the Lower. An increase of troops to the Provinces would be desirable. Has reason to believe that emissaries from the enemy are in the Province, but they manage to avoid detection. Dr. Nooth reports that Jay, Governor of New York, and others, are suspicious of correspondence being carried on between French emigrants in the States and Canada. Sir John Johnson reports suspicious persons, above the common class of Frenchmen, have been seen at Caughnawaga; he took measures to apprehend them, but they have eluded capture. Suspicious circumstances connected with the arrival of Dr. Stephen Dickson; is using means to discover his real views and the motives which brought him here. P. S.—Russell has stated that it will be necessary to make considerable purchases of land from the Indians before disposing of the waste lands. Has recommended him to lay a plan and statement before His Grace, of the lands granted and of what remains. It is said that great complaints are made in the Upper as well as in the Lower Province with respect to the proceedings of the Council in the disposal of the waste lands. 28

1799. January 7, Quebec. Same to same (No. 95). Means taken, but unsuccessfully, to confirm or remove the suspicions against Dr. Dickson. He has obtained an introduction to the Chateau. He has published "Considerations respecting the establishment of a college." He (Prescott) does not consider the country ripe for such an establishment; thinks it strange a man should leave an eligible situation for so wild a scheme. 34

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"Considerations on the establishment of a college in Quebec, for the "Instruction of Youth in literature and philosophy," by Stephen Dickson, &c., &c., &c. Page 36

January 8, Quebec.

Prescott to Portland (No. 96). Sends minutes of Council on State business from the 21st of September to the 22nd of December, and on waste lands from 21st September to 5th January. Intelligence received of the victory of Nelson at the Nile. In concurrence with the Anglican Bishop, the coadjutor of the Romish Church and the Council, he had set apart a day for Thanksgiving. This was all the business he intended for the 22nd December, but the Chief Justice introduced the motion relative to waste lands in a long speech. Is sorry that he did not reply that such a motion required previous notice. Summary of reply to a speech of the Chief Justice at a subsequent meeting; offer to have objectionable minutes expunged. The inconsistent conduct of the Chief Justice. The want of uprightness in some of the Council; their proceedings acquiesced in by the others, no doubt from want of care in examination; regrets that the Lord Bishop should be of this number, as his own uprightness cannot be doubted. The coalition kept together by the Chief Justice. The propriety of the regulations sent by His Grace to preserve the real holders of land in their rights as against speculators. About one million acres will be required to carry into effect the regulations respecting the old fees. 55

Minutes, 22nd December. Thanksgiving Day fixed on account of the victory of the Nile. 64

Minutes on waste lands, 22nd December. Discussion on a motion by the Chief Justice, respecting a paper omitted to be entered. The remarks on the motion by His Excellency. 68

The paper omitted in the Minutes of 20th September. 73

Minutes, 5th January. Report on applications for specific quantities of land. 91

The report giving the decisions on the applications for lands in certain townships. 93

(The names of the petitioners are in alphabetical list at the end of the calendar of this volume.)

Paper marked No. 1. List of applicants for land in the townships of Sutton and Potton. 103

(The names are given in the list at the end of volume.)

Copy of the motion made by the Chief Justice. 108

Mandement of the Roman Catholic Bishop of Quebec, for the observance of a Day of Thanksgiving for the victory over the French fleet. 111

Form of Prayer and Thanksgiving for the Victory of the Nile. 115

January 27, Grand River.

Brant to Russell. Reporting the intrigues of the French among the Western Indians. 247

(In Prescott's No. 98 of 5th March).

February 4, Quebec.

Prescott to Portland (No. 97). Dispatches received. Sends copy of letter from Lieut. Governor Carleton respecting boundaries. How Thanksgiving Day was observed; copies of sermons sent. Calls attention to the number of emigrant clergy received into the Seminary of Montreal. How the revenues of the estates of the Sulpicians should be administered. Shall see that the Jesuit Estates are taken possession of on the death of Pere Casot, the only remaining member. Calls attention to the uncertainty in the administration of the law. An attempt made by the Chief Justice and others to form a party in the Assembly. 126

Letter from Lieut. Governor Carleton respecting western boundaries of New Brunswick, with declaration by commissioners. 135

Lists of priests at the Seminary and at the College of Montreal. 140

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Sermon preached by Jacob, Lord Bishop of Quebec, on the 10th of January (Thanksgiving Day). Page 141

Sermon preached on the same occasion by Rev. Alexander Sparks. 183

Discours by Messire J. O. Plessis (in French) on the same occasion. 211

March 5, Quebec. Prescott to Portland (No. 98). Death of McKee; appointment of James Baby, Alexander Grant and Thomas McKee to administer the office till further orders. Report from Brant, sent by Russell, that the Western Indians are shaken in their attachment by French influence. Copy of Brant's letter sent. Cannot apprehend serious danger from the Indians, unless a considerable force is sent to co-operate with them, nor could such a force come up the Mississippi without difficulty; he would certainly receive information from Liston of such a force coming; doubts the correctness of Brant's intelligence; he seems trying to increase his importance. Sir John Johnson sent to investigate; intelligence sent to Liston. It would be satisfactory to have an addition to the regular force. Brant's statement that the Indians are discontented with the alterations in the Department must be explained before it can be laid before His Grace. Does not think it improbable (for reasons given) that the Indians are dissatisfied. Sir John Johnson's report may explain. Brant reports that Elliott's dismissal gave dissatisfaction; this is not correct. Elliott has forwarded a memorial for further investigation into his conduct. Recommends that Captain William Claus succeed McKee. Should the recommendation be adopted, recommends Captain Hector Maclean to succeed to the office held by Claus. Elliott's office still vacant without the service suffering. Fire in the buildings at Cape Diamond occupied by the engineers. Dr. Dickson has left; it is reported that he has gone to England. Although strictly watched, there was nothing in his conduct to justify suspicion. 238

March 6, Quebec. Same to same (No. 99). Sends naval officer's returns of vessels entered and cleared at Quebec, between the 10th of October and 5th January. 250

March 14, York. Russell to Sir John Johnson. Requests him to take charge of Indian affairs, so that he may take measures to promote the King's service at this crisis. The commission to Baby, Grant and McKee, being no longer necessary, is withdrawn. Adds his recommendation to that of the Governor General in favour of Claus, as successor to McKee. 324

(In Prescott's No. 104, of 10th June).

March 27, Quebec. Prescott to Portland (No. 100). Considerations on the impropriety of putting on record in books, declared to be open to the public, the differences between the Governor and the Executive Council. 251

The motion of the Chief Justice commented on in No. 100, and observations thereon by the Governor. 254

April 2, Quebec. Prescott to Portland (No. 101). Dispatches received. The apprehended danger to Government from differences between him and the Council have no existence. Sends speech and addresses in return from both Houses. The opposition talked of will be of small amount; the nature of the addresses justifies this expectation. Material for the new Court House ordered, but the site is not yet secured; the remaining Recollet has been offered £50 a year during his life for it but wants £100. The difficulty of raising the Canadian Volunteers arises from dislike of a military life. Respecting the building of an ordnance store house, &c., on Cape Diamond. 262

Speech on opening the Legislative session. 267

Address of the Council. 272

Address of the Assembly 276

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April 4, Quebec. Prescott to King. Sends state of the two battalions of the Royal Canadian Volunteers. Explains certain apparent discrepancies. Page 280

State of the two battalions. 282

April 10, Whitehall. Portland to Prescott (No. 27). His regret at the continued differences between him (Prescott) and his Council; the only remedy for this state of things is his retirement. It is the King's pleasure, therefore, that he return and by personal communication enable the ministry to decide on measures necessary to be taken. The Lieutenant-Governor has been ordered out so as to take charge when he (Prescott) leaves. The Admiralty has been directed to arrange for the ship on which he is to return. Major General Hunter has been appointed Lieut.-Governor of Upper Canada and Lieut.-General on the staff in both the Canadas. All documents, &c., to be delivered to Lieut.-Governor Milnes. 2

April 12, Whitehall. Same to Lieut.-Governor Milnes. Transmits instructions of 9th February, 1765, for distribution of troops within the colonies, by which he is to be governed. 5

April 13, Whitehall. Same to Prescott. Transmits the instruments granting to Lord Amherst the Jesuit Estates in Lower Canada, on the terms specified, to be passed under the Great Seal of the Province, previous to which the law officers are to be consulted as to provisions and alterations necessary to be made on account of the differences of tenure, &c., so as to carry into effect the King's intentions in favour of Lord Amherst. He is also to consult with the Council and to report on the advantages derivable from any surplus revenues that may remain from the estates, after what is granted to Lord Amherst. 4

April 15, London. Robert Shore Milnes to Portland. Desires to know how the Governor's fees of office are to be appropriated, should he (Milnes) take the administration of Lower Canada during the absence of the Governor General. 121

April 19, Whitehall. Portland to Prescott. Respecting the manner of keeping the accounts of the 1st and 2nd Battalions of the Royal Canadian Volunteers. 123

April 20, Whitehall. Same to Milnes. Sends copy of letter written to Russell, relative to the manner of appropriating the Governor's fees. 122

April 20, Whitehall. Same to same. That deficiencies in the revenues of Lower Canada are to be made good by the draughts of the Commander-in-Chief as usual. 125

April 30, Quebec. Prescott to Portland (No. 102). Dispatches received. Arrival of the January mail off the coast reported three weeks ago; the expectation of receiving dispatches and other reasons have led him to postpone calling the Legislature together. The state of tranquillity and respect for Government which now exists in the Province, except in the case of a few persons who by their conduct have lost influence in public estimation. The business of the Legislature, which will be finished in ten days or a fortnight, has gone on with harmony; those who were inclined to oppose found their influence gone. The Consolidating Act and that for preserving Government have passed. Has communicated the intention to erect proper buildings for the Courts of Justice; a bill is passing to replace the money advanced for this purpose. Respecting table of fees for the fisheries; objections; he has postponed the measure. Reports from Upper Canada that the apprehensions of an attack by Indians were not well-founded. Will defer giving an opinion till Sir John Johnson's report is received. 302

Speech to the Council and Assembly, respecting the building of Court Houses. 307

Answers:—Council, 308; Assembly, 310. 308, 310

May 6, Philadelphia. Liston to Prescott. The American ministers complain of the conduct of the late Mr. McKee, in persuading the Shawanese to call a general

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meeting to consider such parts of the treaty of Grenville as are disagreeable to them. The American ministers are determined not to grant permission to hold the meeting, and ask that steps be taken to prevent it, and to discourage all such interference in future. Page 326

(In Prescott's No. 104 of 10th June).

May 27, Quebec. Prescott to Portland (No. 103). The unfounded apprehensions of an attack by the Indians on Upper Canada. Hopes to hear soon from Sir John Johnson on the subject of the Indians. The business of the Legislature conducted with harmony; the only differences were in regard to the Road Act of 1796, which it was proposed to amend; Bill for that purpose passed by considerable majority. No opposition to any measures proposed by him (Prescott). Expects to prorogue by the 31st. 311

June 3, Montreal. Sir John Johnson to Prescott. Report of his journey to the upper country. Arrival at York; thence to Fort George; there the son of Delaware Aaron denies having seen Otter, the Ottawa chief, the report he brought having been obtained from a party of Shawanese encamped near Amherstburg. The proposals of the Shawanese to send deputations to Britain and Spain respectively, Spain having offered them an asylum. McKee instructed to point out the impropriety of such a step. His return by the Grand River and reception there. His return to Kingston. The relief of the rangers. Progress of the works at Amherstburg. 318

June 3, Quebec. Speech of the Governor at the prorogation of the Legislature. 328

(Both in Prescott's No. 104 of 10th June.)

June 10, Quebec. Prescott to Portland (No. 104). Return of Sir John Johnson from the upper country. Account of his journey enclosed, which although not quite satisfactory affords a degree of pleasure in reporting the groundless fears of an Indian attack; the Indians have been tampered with by France and Spain. The bad advice given them by British subjects and, probably, by Americans; the interested motives of the advice. Sends letter from Liston confirming this view, extract of which has been sent to Sir John Johnson. The harmony with which the business of the Legislature has been conducted; prorogation on the 3rd; sends copy of speech. Omission in the Bill for regulating weights and measures; if considered important it can be supplied next session. 314

June 11, Quebec. Same to same (No. 105). Sends minutes of Council on State business from 23rd December to 25th March. 332

Minutes, 25th March. Report on Public Accounts for six months from 11th April, 1798, with proceedings and details. 333

Committee on accounts from 11th October appointed. 366

Report on the renewal of the lease of the iron works at St. Maurice. 366

June 17, Quebec. Milnes to Portland. Had arrived on the 13th. The "Topaz," which conveyed him, was nearly wrecked on the coast of Newfoundland. His meeting with Prescott without the least unpleasant circumstance; he has fixed his departure for the 25th o' next month. He (Milnes) has yet had no opportunity of making himself acquainted with the state of things in the Province. The winter has been severe and the spring backward, so that there is some alarm about the crops. Ryland has pressed for some compensating rank for him (Milnes), he having none in the army. The necessity for some distinction, where etiquette prevails. Desires either the Red Ribbon or the baronetage spoken of. 284

June 25, Quebec. Prescott to same (No. 106). The real state of the Province is different from what has been represented, as shown by various dispatches received. Will answer these personally. Cannot tell what was in the memorial of the Executive Council, but what was said of other representations leads him to hope that His Grace will have strong doubts of

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its truth. Cannot doubt that a full investigation into his conduct and that of his opponents will be accorded. The Governor's conduct is everywhere respected and revered and there is more general contentment throughout the Province than has prevailed since it has been annexed to His Majesty's Crown. Page 372

June 26, Quebec. Prescott to Portland (No. 107). Deputation of Caughnawaga and Lorette Indians on behalf of one of them convicted of the murder of a woman of the same tribe. Has granted a respite till His Majesty's pleasure is known. The reasons for this decision. 375

Memorial enclosed. 378

June 26, Quebec. Prescott to Portland (No. 108). Has given written instructions to the Lieut.-Governor (Milnes); sends copy and schedule of documents. 383

The instructions of same date follow. 384

June 26, Quebec. Prescott to Portland (No. 109). Voluntary subscriptions begun towards supporting the present war. Sends copies of the papers on the subject. 392

Documents relating to the proposals, including the reports of meetings, subscriptions lists, &c., of Quebec, Montreal and Sorel, or William Henry. 393 to 403

July 18, Whitehall. King to Milnes. Sends copy of letter with enclosures addressed to Lieut.-Governor Hunter, respecting Prince Edward's proposal to place the Provincials on the footing of Fencibles, to serve in North America generally. 287

July 24, Whitehall. Portland to same (No. 1). Sends copy of private letter from the Anglican Bishop of Quebec. The evils complained of have arisen from the want of mutual understanding, which can be remedied by confidential intercourse and by the exercise of discretion, &c. Sends copies of instructions to Dorchester, of 1796. The necessity of building a metropolitan church at the seat of Government; he is authorised to appropriate the site of the late Recollet Church for that purpose, and to expend £400 annually out of the Provincial revenues for its erection. Believes that the inhabitants will assist by liberal contributions. The establishment of rectories, regulations for church wardens, vestries, &c., to be next considered. The powers under the Act of 1791; that Act and the instructions of 1796 are sufficient, with the advice of the law officers, for his guidance. The law does not authorise the collection of tithes, the various Acts being quoted on the subject. It is for the Provincial Legislature to make some provision for the officiating clergy. What is still more urgently to be attended to is the want of parochial clergy and of the means to provide for them; is afraid the means can be more readily found than suitable persons for the office. Has communicated and shall continue to communicate his views to the Society for the Propagation of the Gospel. How provision may be made for the incumbents in addition to that made by the parishioners. Believes the arrangements for particular parishes proposed by the bishop are reasonable and may receive his (Milnes') sanction. The power to grant licenses, asked for by the bishop, may be beneficial; the difficulties in the way of granting it. The power to license might be delegated by the Governor to the Bishop; the question might be referred to the law officers. The question of appointing archdeacons. The power of the Seminary of Montreal to renew the officers by election, but that of its power to hold the Seigniory of the island must be reported on. 288

July 24, Whitehall. Same to the Anglican Bishop of Quebec. Letter received; the most essential parts of it have been at once attended to, as shown by copy of letter to Milnes, enclosed for his information. Sends extracts from letters, so far as these relate to ecclesiastical affairs, addressed to

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President Russell. Rev. Mr. Reddish must have arrived in Upper Canada before this letter can reach. Page 300

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Q. 83.

January 5, Quebec. Memorial, with accompanying documents, from the Executive Council respecting the disputes with the Governor as to the land granting system. Pages 306 to 330

January 25, London. Ryland to Portland. Suggestions respecting the appointment of a Superintendent General of Church and Crown Reserves in Upper and Lower Canada. 300

April 15, Quebec. Anglican Bishop of Quebec to same (private). His diffidence at writing direct in consequence of letter of 7th May, 1796 (see Q. 77 p. 297) that all public communications, complaints excepted, are to be sent through the Governor. The expectations entertained by members of the Church of England in this country, from the terms of the instructions to successive Governors, that the Church of England was to be established both in principle and practice, and limitations to be applied to the power and privileges of the Church of Rome. These hopes were greatly strengthened by the appointment of an Anglican Bishop, who they supposed, would come clothed with power to raise it to distinction and ascendancy, with a suitable church, a competent number of clergy and power to set on foot a plan for the education of youth. The interest felt by large numbers in Upper Canada, many of them dissenters, but without ministers or churches and ready to throw off their dissent. The apprehensions of the Roman Catholics in Lower Canada. Both parties undeceived. The Roman Catholics look down with contempt on the fruitless efforts of the Church of England, and the hopes of the Protestants having in the same degree subsided, they naturally attribute their disappointment to his supineness. The power, on the other hand, of the Roman Catholic Bishop of Quebec, and the influence this gives him over the clergy and people. The increasing property of the ecclesiastics; the emigrant priests have assumed the principal offices in the Seminary of Montreal and the seigniorial rights over the island. The danger of this should there be a counter revolution in France. Calls attention to the titles assumed by the Roman Catholic ecclesiastics. He casts no personal reflections on the Bishop or his coadjutor, who he truly believes are worthy men and good subjects. His remarks on the want of Church accommodation and the necessity for a separate church building. The steps taken from 1795, to have rectories, vestries, and church wardens, legalized, with instances of the inconveniences arising from the present situation of ecclesiastical affairs, including the difficulty of obtaining clergymen for various districts, as security for the clergyman's salary can only be given by mortgage on private property. The rest of the letter (of 38 pages) discusses the situation at length. 332

Appendix A. "Discours par Messire Plessis," title. For sermon, see Q. 82, p. 211, &c. 370

Appendix B. Ecclesiastical State of Canada, Catholic and Protestant, in detail. 371 to 381

Appendix C. Russell to the Bishop (Anglican) of Quebec, that he had appointed a day of thanksgiving for the victory over the French Fleet. 382

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April 17, Quebec. Memorandum that a portion of the land granted to Lord Amherst, namely, the Seignory of Jeune Lorette, was in possession of the Indians by a grant from the French King, but secured by the Jesuits by a subsequent grant. Page 331

July 10, Quebec. Milnes to Portland (No. 1). His arrival on the 13th of June; Prescott is expected to embark on the 25th of this month. Sends copy of letter from Prescott respecting land grants. Reason for declining to take that question into consideration on the Governor's statement or to give an opinion on the subject. 2

(Letter, called instructions, is in Q. vol. 82, p. 384).

The answer dated 28th June. 5

July 10, Quebec. Prescott to Portland (No. 110). Had received orders respecting the mode of keeping the accounts of the 1st and 2nd Battalions of the Royal Canadian Volunteers. The Public Accounts transmitted include those of the volunteers. The accounts will after this be kept as ordered. 6

July 17, Quebec. Ryland to King (private). The good sense of the leading members of the Legislature got the better of the difficulties apprehended. The consolidation and other less important Acts passed. The satisfaction to one party and the chagrin of the other at the unexpected arrival of Milnes. Hopes not to require to use the word party long, although there is an evident intention to create an opposition to the administration of Milnes. Idle reports from the Chateau that the General will return in spring were intended to lessen the consequence of the Lieut. Governor. The efforts to get signatures to addresses to the Governor on his departure, to show that the people are on his side. The unsuccessful attempt to get Milnes to express a premature opinion on the merits of the differences respecting land grants. 383

July 17, Portsmouth. Sir Charles Saxton to same. Packet for Milnes delivered to the captain of the "Hero" Transport, (receipt enclosed). 387

A similar note from Sir Peter Parker, (with receipt enclosed) both dated 25th July. 388

July 18, Quebec. Prescott to Portland (No. 111). Sends exemplifications of the Acts passed last session and manuscript copy of the journals of Council. 8

Journals of Legislative Council. 9 to 77

July 18, Quebec. Prescott to Portland (No. 112). Sends Naval officer's returns of vessels entered and cleared at Quebec from 5th April to 5th July. 78

July 18, Quebec. Same to same (No. 113). Sends requisition for clothing for the 1st and 2nd Battalions of the Royal Canadian Volunteers. 79

Requisitions. 80, 81

July 18, Quebec. Prescott to Portland (No. 114). Had sent copy of his letter to Milnes (Q. 82, p. 384.) Now sends the enclosures, returned by Milnes unopened. Why he (Prescott) could not lay all the correspondence before the Council, as desired by His Grace; the dangerous consequences that would have resulted to His Majesty's Government in this country. Shall leave all the public letters with Milnes and also the documents he has returned unopened. Sends newspaper with copy of address from Quebec on his departure. Other addresses in course of preparation at Montreal, Three Rivers and William Henry. 82

Copies of addresses from Quebec to Prescott (in English and French) with signatures. 88 to 111

(For other addresses, see p. 158 to p. 190.)

July 19, Quebec. Ryland to King. Sends copy of the report of the Executive Council relative to the boundary line between Upper and Lower Canada. 112

Report. 113

July 23, Quebec. Lymburner to King. Sends copy of memorial to the Duke of Portland, which Prescott had offered to deliver and asking his support to obtain

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the prayer of it. The circumstances causing the delay in his return to Quebec, and the refusal to readmit him as a member of the Council. Page 393

July 23, Quebec. Memorial by Lymburner to the Duke of Portland. Stating his services, &c., and praying for restoration to his seat in the Council. 400

July 24, Quebec. Prescott to same (No. 115). Sends minutes of Council on State business and on Crown Lands, both from 26th of March to the 18th July. 118

Minutes, 15th June. Lieut.-Governor Milnes presents his commission and takes the oaths. 119

Minutes, 18th July. Report on Public Accounts from 11th October, with proceedings and details. 121

Minutes on Crown Lands, 18th July. Instructions relative to the granting of land laid before the Council. 413

Table of fees on land grants. 136

List of applications for land. 139

(The names of the petitioners are in alphabetical list at the end of the calendar of this volume.)

July 27, London. W. Morrice to King. Would be glad either in his public or private capacity to be instrumental in providing proper clergymen for the two Provinces of Canada, but the Society does not meet till October, and he will be at Bournemouth for some time. Desires to know what encouragement will be given exclusive of the allowance by the Society. 389

July 30, Whitehall. King to Morrice. The allowance authorised by Government to be paid to clergymen by the Governor is £100 per annum, until the value of the Church lands render that unnecessary. This is in addition to what is contributed by the people, which though small must produce something. 390

August 7, Quebec. Milnes to Portland (No. 2). Prescott sailed in the "Topaz" on the the 29th July. Sends copy of proclamation on assuming the Government. His intention to call the attention of the Council to the land business. 149

Proclamation. 150

Contributions for the support of the War, with list of subscribers. 152

August 7, Quebec. Lymburner to King. Sends copy of letter of 23rd July, and asks for a certificate that it was with his (King's) permission he remained for the benefit of his health. Points out that no precedent could arise from his readmission. 399

August 21, Quebec. Milnes to Portland (No. 3). Transmits a representation of Chief Justice Osgoode respecting the administration of Justice, in order that he (Milnes) may receive His Majesty's pleasure thereon. The charges against De Bonne. 191

Memorial by Chief Justice Osgoode, dated in August (no day). The Chief Justice in cases of appeal presided over that court, and took no part in the trials at the courts of first instance. By a change in the law the Chief Justice for Quebec presides in the King's Bench for that district and the Chief Justice of Montreal does the same in his district, and in appeals the Chief Justice of Quebec presides in cases from Montreal, the Chief Justice of Montreal in those from Quebec. Objections to the present system. Recent events have shown that these were not unfounded. The course followed in the case of Grant and Lymburner *vs.* N. and P. Lloyd, in which the Chief Justice of Montreal (Monk), de Bonne and Young decided, not on a point of law, but on a rule of the Court, the decision being entirely subversive of the rule and practice, as shown by the records. The case of Duchesnay against de

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Bonne, a judge of the Court; its painful nature; a settlement arranged by friends, but the case revived by de Bonne entering suits against Duchesnay. The public scandal thence arising. Asks that the judicature Bill might be amended, so that the attendance of the Chief Justice could be dispensed with in civil causes in the Court of King's Bench, Quebec, thereby enabling him to preside constantly at the Court of Appeal.

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The records relating to the procedure in the Court of Appeal referred to.

199

August 21, Quebec. Milnes to Portland (No. 4). The necessity of having Aides-de-Camp. Has appointed Major Deschambault, late in the 60th Regiment. Trusts that the appointment of a second will be approved of. 203

August 21, Quebec. Same to same (No. 5). Sends minutes of the Council on Crown Lands from 9th July to 19th August. His satisfaction at the proceedings of Council, which will remove the difficulties hitherto attending this business.

204

Minutes, 19th August. Correspondence laid before the Council. 205

August 21, Quebec. Milnes to King. It will be noticed that he has opened the campaign in the land business; hopes it will go on well. The proposal of Chief Justice Osgoode, if adopted, would prevent jealousy between the Chief Justices of Quebec and Montreal. If de Bonne is dismissed, a discretion should be left with him (Milnes) as to the time. De Bonne has influence with the lower orders, but cannot, he thinks, do any harm. Respecting Aides-de-Camp; the importance of their duties. 207

September 10, Quebec. Same to Portland. The impossibility of keeping up his establishment on his present salary. The great cost of living. Although everything was much cheaper in his time, yet the amount expended by General Clarke exceeded his income by £300 a year; Lord Dorchester's expenses were not less than £5,000 a year exclusive of his rations. The necessity of keeping up an establishment owing to the circumstances of the country. Much depends on the attention paid to bring about a cordial reconciliation between all parties, without which it is impossible for the Executive Government to proceed in any material business. Shall maintain his present establishment till he hears from His Grace. 211

September 15, Deal. Prescott to same. His arrival in the "Topaz" frigate. Sends copies of the addresses presented to him before leaving Quebec, to be laid before the King. These, with addresses from the Assembly, show that the Province never enjoyed more tranquillity. Repeats his request for a strict investigation into his conduct and that of his adversaries. 156

(For Quebec address see p. 88.)

Address from Three Rivers, dated 25th July. 158

Addresses from Montreal. 167, 176

Address from William Henry and Parish of Sorel 187

October 12, Quebec. Milnes to Portland (No. 6). Sends list of Executive Councillors, eight of whom reside at Quebec. 216

List of Councillors. 217

October 14, London. Morrice to King. That the Society (for the Propagation of the Gospel) will look for clergymen for Canada to whom they will make an allowance suitable to the situation and circumstances of their respective parishes.

412

October 14, London. Same to same. In his private capacity he has exerted himself to procure one or more clergymen to go to Canada, but without success. Those who are improper it would be disgraceful to send; those that are proper are most difficult to find. There is a vacancy in the Bahamas with greater emoluments than those from a Canadian mission, but a proper clergyman cannot be found to go.

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October 24, Quebec.

Milnes to Portland (No. 7). Sends naval officer's returns of vessels entered and cleared at Quebec between the 5th of July and the 10th October. Page 218

D. W. Smith to King, with testimonials, which he asks may be read, so as to save him from intruding until there is occasion for his services. 414

(D. W. Smith was Surveyor General of Upper Canada.)

The papers enclosed, include thanks from the Legislature of Upper Canada, letters in his favour from President Russell, from Simcoe, Chief Justice Osgoode, &c. 415 to 424

October 25, Quebec.

Milnes to Portland (No. 8). Encloses letter from the Bishop of Quebec. The want of church room for Protestants. The Recollet Church in which they had service formerly is burned; the Jesuit church too small, besides being damp and in bad repair; the troops can only worship outside, which the severity of the weather will not often permit. The site of the Recollet Church and garden affords room for the court house, now building, and for a church. The increase of the revenue should be more than adequate to the expense of building. Does not think it expedient to lay the matter before the Assembly, two-thirds being Roman Catholics, to whom the discussion might be unpleasant. A sum of £100 a year allowed to a clergyman at St. Armand. Expects the final report of the Attorney and Solicitor General on the Jesuit Estates. Intends submitting considerations respecting the militia; at present there are about 30,000 rank and file of the militia on paper, but not one effective man. The numbers are: Canadian, 28,264; British, 1,376, both exclusive of officers. Respecting the proposal of the Duke of Kent to place the Provincial regiments on the footing of Fencibles. 219

Letter enclosed from the Anglican Bishop of Quebec to Milnes, dated 19th October, respecting the need of church accommodation, and urging that His Excellency's influence may be used to further the object in view. The case of St. Armand; what the Protestants there are prepared to do for the support of a clergyman. The difficulty of obtaining a Government grant if absolute security is exacted before that is given; the necessity for the relaxation of the rule, otherwise no church can be established, &c. 225

October 25, Quebec.

Milnes to Portland (No. 9). Sends minutes of Council on State business from 30th July to 10th October, and on Crown Lands from 19th August till 11th October. Some classes of cases in respect to land settled. People arrived and settled on lands within the last twelve months, in the belief that possession would give them an indisputable claim to a grant, pamphlets distributed having given a foundation for this. The settlement of such questions to be left to the grantees when their cases are decided on. 232

30th July to 19th August.

Minutes, 30th July. Proclamation for continuing the officers of Government. 234

Minutes, 19th August. Report on the boundary line between the district of Montreal and that of Three Rivers, lying on the north side of the St. Lawrence. 236

Report on an application by Père Bercy for an addition to his income. 238

Report on application by W. Lindsay, St. John's, respecting rafts and fees. 240

Report of committee for building a Court House at Quebec. 242

Report of committee on Public Accounts. 246

Minutes on Crown Lands, 19th August. Correspondence between Portland and Prescott laid before the Board for consideration. 251

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August 31. Minutes, 31st August. Report on the correspondence, and on the best means of carrying out the King's intentions as to lands, with correspondence, &c. Page 253

October 11. Minutes, 11th October. Report on the petition of John Black for a grant of land. 268

Continuation of the preliminary report brought into Council on the 31st of August, with proceedings and details. 269

October 26, Quebec. Milnes to Portland (No. 10). Sends printed copies of the journals of Assembly for the last session. 289

(Title only copied, the printed journals being here). 290

December 3, Whitehall. Portland to Milnes (No. 2). Before dismissing de Bonne he (Milnes) should inform himself, so as to be able to give an opinion on the subject. 209

December 7, Whitehall. Same to same (No. 3). The appointment of a second Aide-de-Camp left for him (Milnes) to determine. How the expense is to be met. Has no doubt, from the judicious manner in which it was brought forward, that the settlement of the Land business will give general satisfaction. Sends memorial from Lymburner for consideration and report; doubts as to his claim to a seat in the Council. 291

December 11, Whitehall. Same to the Anglican Bishop of Quebec. The difficulty of his obtaining persons qualified to perform the duty of ministers leads to the suggestion that the Bishop try to obtain them in the Provinces. But for the fruitlessness of his efforts would not have made the proposal, &c., &c. 293

December 11, London. James Mackenzie to King. Sends letters from Lymburner relative to the refusal to re-admit him to his seat at the Council on his return to Canada, and a memorial to the Duke of Portland. 392

(Enclosures dated in July and August, calendared at their respective dates).

December 12, Whitehall. Portland to Milnes (No. 4). Has sent copy of letter to the Bishop of Quebec. 298

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1799. November 12, Quebec. Milnes to Portland (No 11). Has appointed a commission composed of the Lord Bishop of Quebec, Chief Justice Osgoode, Sir George Pownall and the Rev. Mr. Mountain, for the purpose of erecting a metropolitan church at Quebec, for which £400 shall be appropriated annually. Shall consult the Bishop and law officers before taking steps regarding the rectories, &c., and also the proposed change in granting marriage licences. Shall send full information respecting the Sulpicians and their property. Page 4

November 15, Quebec. Same to same (No. 12). Transmits memorial from Alexander Ellice, respecting encroachments on his land in laying out the township of Hemmingford. He offers to accept in lieu of that land 6,600 acres in Clifton. His having paid £1,200 of *quint*, or £200 more than the whole purchase money formerly, is a strong argument in favour of granting his petition. The advantage it would be to the country were he to use his means to improve the lands. 6

Memorial by John Richardson and Francis Winter, agents for Alexander Ellice. Setting out the error in survey, by which Hemmingford has encroached on his seigniory and offering to take land in Clifton instead of that lost by wrong survey. 8

Diagram of Clifton, showing reserves, grants, &c. 11A.

Plan of Beauharnois and Hemmingford showing the encroachment. 11B.

November 15, Quebec. Milnes to Portland. Calls attention to the Duke of Kent's proposal respecting Mr. Coffin's place as Inspector General of Accounts, so as to obtain disposal of it. Trusts that no change will be allowed in the mode of nominating to this or other provincial appointments. 12

December 13, Quebec. Same to same (No. 13). Transmits memorial and documents relating to the establishment of an independent Custom House at Montreal. 14

Memorial of the merchants of Montreal, representing the difficulties, delays and expense that would result from establishing a separate Custom House at Montreal. 16

Order of reference to the Atorney General respecting the intended establishment of a separate Custom House at Montreal. 24

Report by Sewell, Attorney General, that the establishment of a separate Custom House at Montreal would be inconsistent with the Provincial Revenue Act. 26.

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Report of the committee of Council on the question of a separate Custom House at Montreal and in opposition to its establishment.

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December 16, Quebec. Milnes to Portland (No. 14). Reports the existence of a fever (a kind of gaol fever), among the officers and men of the 41st, contracted on board of the "Asia" transport; means taken to prevent infection. It will apparently soon be exterminated about Quebec, but has been introduced into several places on the road to Montreal, in which the 41st were quartered. It is much more serious in Montreal, but trusts by the means used it will soon be exterminated. 34

December 19, Quebec. Same to same (No. 15). Had submitted to the Attorney and Solicitor General the instrument for granting the Jesuit estates to Lord Amherst, and had ordered a special report to be prepared. Memorial presented by Father Cazot, that the estates should be taken into the actual possession of His Majesty, which has also been referred to the Attorney General. Encloses order of reference. 36

Order of reference. 38

1800. January Whitehall. Portland to Milnes (No. 5). Dispatches received. Had anticipated the request of the Bishop for instructions respecting the building of a church at Quebec and the appointment of a minister at St. Armand, and had endeavoured to lay a foundation for the establishment of the Church of England in the Canadas. The satisfaction it would give him to receive proposals to render the militia efficient and to strengthen the connection between the two classes of His Majesty's subjects in Lower Canada. The difficulty of dealing with the land business, for reasons stated. His proposition to remedy the evils approved of. Has recommended that whilst he (Milnes) administers the Government of Lower Canada, his salary shall be £4,000 from all sources. 1

January 29, Quebec. Bill of exchange for £2,942.11.1. for subsistence and extraordinary expenses of the Army. 156

January 31, Quebec. Milnes to Portland (No. 16). Transmits documents relating to the Jesuit estates. The Council recommend the suspension of the grant to Amherst till all the documents are submitted to His Majesty's Ministers. Had avoided calling attention to the policy of the intended grant, but Councillors have individually told him how unpopular the measure would be and its mischievous consequences. Sends documents showing the claims made by the Province to these estates for the purposes of education, supported by the declaration in France on the dissolution of the order, that the property belonging to the Colleges could only be applied for the purposes of education, and also by the edict of 1763 in respect to such property in French Colonies. The inhabitants trust that, although this decree could not extend to Canada, yet that their rights in this respect would be equally attended to by the British Government. In addition, it would be good policy to encourage an establishment for education, many families being induced to send their children to United States Colleges for want of such institutions here. So great is the want of education, that were any vacancy to take place in either of the Councils, or in any of the superior offices held by Canadians, it would be difficult to find proper persons to fill them. Proposes that only such part of the estates as might be determined by commissioners should be granted to Lord Amherst, the rest to be for public purposes. Shall in the meantime appoint commissioners to take over the estates, rents after allowance to the last surviving Jesuit to accumulate so as to form a fund for the expense of the commission, &c. 41

Report of the committee of Council, dated 21st January, 1800, asking that their journal may be taken as the report. 1. Recommend suspending the grant. 2. To accept the offer of Cazot, and to take the estates, into

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His Majesty's actual possession. How this should be done. 3. The exceptions in the grant include such lands in Quebec, Montreal and Three Rivers as are necessary for public civil uses. They cannot determine what may be necessary for public military uses. 4. The grantee should keep an account of the revenues, so that it might be ascertained what surplus should be devoted to public uses. Page 47

Letter from H. W. Ryland to the Attorney and Solicitor General, dated 7th August, 1799, with copy of letter from the Secretary of State respecting the grant to Lord Amherst. 57

Report by the Attorney (J. Sewell) and Solicitor (L. C. Foucher) General, on the instrument granting to Lord Amherst the estates formerly held by the Jesuits. The contradictions between the deed of grant and the laws of Canada in respect to lands held in seigniory or *en roture*, as well as in respect to lands held in free and common soccage. The terms for the lands conceded to the *censitaires* cannot be changed. Objections to the grant of property now held for public uses. Changes recommended in the deed. 58

Letter from Ryland to the Attorney and Solicitor General, dated 16th November, 1799, desiring them to report the pretensions of the Province to the Jesuit estates in the Districts of Quebec, Montreal and Three Rivers, and the steps taken in support of these pretensions, also to specify what part of such property has been appropriated in any manner for public purposes. 67

Report by the Attorney General, 28th November, 1799, upon the claims of the Province to the estates of the late order of Jesuits. 69

Appendix to the report shewing: 1. The estates of the late order of Jesuits claimed by the Province for the purposes of education. 83

2. Petition (in French) signed by 195 inhabitants of Quebec, dated 19th November, 1787, tracing the history of the grants of lands known as Jesuit estates. 87

3. Petition (in English) signed by 230 inhabitants of the City and County of Quebec, dated 4th February, 1793, on the same subject. 140

4. Petition by the Assembly (undated) for the application of the Jesuit estates to the purposes of education. 146

5. Memorial (in French) of Jean Joseph Cazot, S. J., praying to be relieved of the task of administering the Jesuit estates and that they be taken possession of by the Crown. 149

6. Report of the Attorney General on the means of giving effect to Father Cazot's proposal. 152

February 13, Quebec. Milnes to Portland (No. 17). Has ascertained that the full value of the Jesuit estates could not, for a considerable time, be more than £2,400 a year, and a surplus adequate to defray the espense incurred by Lord Amherst. This induces him to set aside his late proposal of a division of the property. When the estates shall be taken into the possession of His Majesty, he can form a better idea of their just value. In the meantime submits for consideration the policy of the intended grant. 154

March 1, Quebec. Same to same (No 18). Sends list of subscriptions towards the expenses of the War, &c. 157

List of subscriptions at Montreal, total £4673. 2. 9. 158

March 8, Quebec. Milnes to King. Sends report on the claim to precedence of James Ker, Judge of the Vice Admiralty Court. 169

Report that the Judge of the Court of Vice Admiralty is not entitled to any rank at the bar except that arising from his seniority as a barrister 170

March 8, Quebec. Milnes to Portland (No 19). Sends memorial received in October last from the puisne Judges for an increase of salary, which he had not forwarded till he had satisfied himself that the increase was necessary;

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reasons given. Besides, barristers make £500 a year and will not give up the profession for the smaller salary, so that only men of inferior abilities can be obtained for the office. Recommends that the salaries of the puisne Judges in Quebec and Montreal should be £750 and at Three Rivers £500. These salaries should cover their circuit expenses nor should they be allowed fees. Suggests that the salary of the Chief Justice should be proportionately increased. Has appointed Davison to succeed the deceased Mr. Justice Walker at Montreal. Transmits memorial of Mrs. Walker and recommends her for a pension. His embarrasment at having to forward such representations, but it is a consolation that the revenues are increasing, so that in a short time he hopes, they will equal the expenditure. Leases of the King's posts, of the St. Maurice Forges and of the King's Wharf at Quebec being about to expire, it is intended to dispose of them by public competition. Page 172

Memorial of the puisne judges for increase of salary, dated 17th October, 1799. 177

Memorial of Margaret, widow of Mr. Justice Walker. 181

March 8, Quebec. Milnes to Portland (No 20). Sends minutes of Council on matters of State, between 11th October, 1799, and 27th January 1800, and on the Crown lands during the same period. 182

Minutes, 11th October 1799. The Council, (three to be a querum) to be a committee for auditing the Public Accounts. 183

Minutes, 22nd October. Letter of the Bishop of Quebec on Education, referred to the Board. Report of the Board does not recommend the plan proposed. The Bishop's letter is given in full. 183

Minutes, 9th November. Final report of the Committee on Accounts laid before the Council; proceedings, abstract of accounts &c. 191

Minutes, 11th December. Documents relating to the establishment of an independent Custom-house at Montreal laid before the Council. 196

Minutes, 13th December. Report that the establishment of an independent Customhouse at Montreal is inexpedient. 197

List of documents relating to the Jesuit estates laid before the Council, to be considered and a report made. 1. Whether the grant to Amherst should pass without further reference to the Ministry. 2. Whether it would be advisable to accept of Cazot's offer and the means to be adopted for carrying it out. 3. What properties should be reserved for public uses, no reserves having been previously made. 4. The means to secure advantages to the Province from the surplus revenues of these estates.

Report of Council on the reference respecting the Jesuit estates on point. 1. That the passing of the grant to Amherst should be suspended till the documents are transmitted to His Majesty's Ministers. 2. The committee see no inconvenience in accepting Cazots offers; a special commission should issue for this purpose, as recommended by the Attorney General. 3. The exceptions in the grant include all properties necessary to be reserved for public uses. 4. The full consideration of this point to be deferred for fuller information. 199

Report by Perrault on records in the Bishop's Palace. 210

March 15, Quebec. Address of the House of Assembly, for all documents relating to the Jesuit estates filed in the late Council Office, especially the report dated 30th June, 1789, &c. (English and French.) 275-277

The answer, undated, handed to a committee of the Assembly, and reported on the 18th March. 279

(The address and answer transmitted to the Duke of Portland in Milnes' No. 21 of 5th April.)

April 5, Quebec. Milnes to Portland (No. 21).—Transmits resolution of the Assembly concerning the Jesuit estates, which was passed after some warm

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debates, expressing the anxiety of the House to investigate the claims of the Province to the College of Quebec and the estates thereunto annexed, and asking for copies of all papers in the Council office relative to the estates of the Jesuits. Sends copy of his answer. Death of Father Cazot, the only remaining one of the Jesuits, the day before his (Milnes') answer was sent to the Assembly. Nothing has since been done about the estates in the Assembly. Believes that the grant to Lord Amherst may be carried without further opposition. Suggests how the estates might be divided to avoid litigation on the ground of being diverted from the original condition of the donations. The estates will be put in commission on the 15th; suggests that the issue of the patent might be deferred till a report of the real value of the property can be sent. Repeats that the want of the means of a liberal education is severely felt, and that the conversion of so large a property to other purposes will be very grating; the dissatisfaction would be lessened were measures adopted for the establishment of a college. Sends copy of letter from the Bishop of Quebec (see p. 185), respecting education, which had been laid before the Council and approved of. Suggests that part of the Crown lands be set aside to provide the necessary funds for the establishment of grammar schools and a college, in addition to what may be reserved from the Jesuit estates. The political and moral benefit of the measure. A will was left by Father Cazot disposing of his personal property and the church plate. The will in respect to the former will be executed; recommends that the other be so also. Page 270

April 17, London. Prescott to Portland. Is going to Hastings for a few weeks. 13

May 7, Quebec. Milnes to same (separate). Respecting Lymburner's seat in Council, which he had engaged to occupy or resign; encloses minute of Council that he was not entitled to a seat. His right being thus done away with, sees no reason to recommend his reappointment. 282

Extract from the minutes of the Executive Council respecting Lymburner's claim to a seat at the Council. 283

May 13, Quebec. Milnes to Portland (No. 22). Dispatches received. Thanks for the increased salary. Shall do all in his power to forward the pious views of the Lord Bishop of Quebec. Instead of a net revenue of £7.10s. from the St.-Maurice Forges, the offer made by competition for the lease for five years is £800 currency, and the terms will probably rise higher. The lease expires on 1st April, 1801. The session of the Provincial Parliament will be closed in a few days; will then issue writs for a new election. The Assembly has resolved to postpone inquiry into the rights and pretensions of the Province upon the College of Quebec and the estates dependent thereon. 285

May 13, Quebec. Same to same (No. 23). Asks that instructions be sent that the Indian Department in Lower Canada is, in the absence of the Governor General, to be under the management of the Lieutenant-Governor and that orders be sent to the Commander in chief to pay the salaries of the officers out of the extraordinaries of the army, and that the presents for the Indians should be under the control of the person administering the Government. 288

June 6, Quebec. Same to same (No. 24). Sends Naval officer's returns. 299

June 21, Quebec. Same to same (No. 25). Commissioners for the Jesuit estates appointed. They were: Chief Justice Osgoode, Messrs. Baby and Dunn, Executive Councillors, Mr. Hale, Deputy Paymaster General, Mr. Berthelot, a Canadian. The inferior agents in the districts to be appointed by the commissioners. Until a report is transmitted recommends that the order respecting the grant to Lord Amherst should be postponed. 300

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Commission referred to in preceding letter. Page 301

July 8, Quebec. Milnes to Portland. Is unable to give a decided opinion as to the expediency of dismissing Judge de Bonne, owing to the difficulty of deciding what degree of private misconduct unfits for a public function; de Bonne's conduct is matter of public notoriety. A memorial has been received from the Chief Justice respecting de Bonne's inattention to the duties of his office. On his application de Bonne has been allowed to send in a written exculpation, but has not yet done so. 311

Memorial from the Chief Justice, respecting de Bonne's inattention to his duties, dated 19th February. 314

Chief Justice Osgoode to Milnes, dated 6th May. Further respecting Judge de Bonne. 317

July 23, Quebec. Milnes to Portland (N° 26). Sends memorial of the merchants of Quebec, asking that Captain Donnelly of the "Maidstone" frigate be induced to take under convoy the corn laden ships which will be ready to sail by the 10th of August. Captain Donnelly's instructions are not to leave for two months after arrival, that will bring it to the 1st of September. Encloses report of Council, &c., on the subject. Already upwards of 100,000 bushels of wheat have been exported; should the next crop be deficient, the state of the Province will be deplorable, and cause great discontent. The delay in the sailing of the convoy till the 1st of September will enable him to ascertain how far the Province can depend upon the ensuing harvest. 320

Memorial of the Merchants of Quebec respecting the sailing of a convoy on the 10th of August. 322

Reference of memorial to the Council, with return of the export of grain, &c., from 1792 to 1799. 324

Report by the Executive Council that the grain, &c., proposed to be exported is equal to 130,000 bushels of wheat; that the quantity in the hands of the farmers is not more than sufficient to supply the Province till next harvest, and should the crop be then deficient, it will be impossible to obtain a supply till after the opening of navigation in May. Cannot recommend any step that would accelerate the exportation. Steps to be taken to prevent export to foreign countries. 326

Intimation to the merchants of the decision come to. 328

Instructions to the Collector of Customs respecting the proposal to export grain to a foreign country. 330

July 26, Whitehall. Portland to Chief Justice Osgoode. His resignation accepted; he is to have a life pension of £800. His Grace's high appreciation of his services; expresses a desire to make his personal acquaintance. 297

July, —, Whitehall. Same to Milnes. Measures for erecting a metropolitan church at Quebec approved of. Authority given to grant Alexander Ellice 6,600 acres at Clifton. (See Milnes' No. 12, of 15th November, 1799, p. 6.) The documents relating to an independent Custom house at Montreal transmitted to the Treasury. Trusts that the precautions taken will put an end to the infectious disease reported in No. 14. The documents respecting the grant to Amherst of the Jesuit estates not received. It will only be a question of the validity of the grant on a point of law that will prevent the King's intentions from being carried out. Copies of all documents sent with originals should also be sent with duplicates. The decision of the Executive Council in respect to Lymburner appears to be just. The original and documents relating to the grant to Amherst are now received and transmitted to the Privy Council. Free schools should be establised with the express condition of teaching English to all children without limitation of numbers. What fees should be charged for other branches. Proposed arrangement for higher education; approves of the suggestions of the Bishop of Quebec. Part of the

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revenues of the Crown lands should be appropiated for education. The King's gratitude for the voluntary contributions from Lower Canada for carrying on the war; means to be made use of to make this known. Approves of the increase of the salaries of the puisné Judges to £750; an allowance of £120 a year to be made to the widow of the late Judge Walker. Instructions relative to the appointment of the officers of the Indian Department. Page 290

August 2, Quebec. Milnes to Portland (No. 27). Encloses report of Council on Abraham Cuyler's memorial. 331

Report. The Council do not think it advisable to recommend that the prayer of the memorial be granted. 332

August 7, Quebec. Milnes to Portland (No. 28). Sends exemplifications of Acts passed last session, with manuscript copy of the Journals of the Legislative Council and printed copies of the Journals of Assembly. 333

The journals of Council. 334 to 384

The journals of Assembly not copied, the printed volume being among the Archives, the title at 385

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LIEUT-GOV. SIMCOE AND MISCELLANEOUS—1792.

1791 February 10, London. **Q. 278.**

Simcoe to Grenville. Sends list of things necessary for the immediate prosperity of Upper Canada; the advantage of an immediate large payment, made with prudence, over many smaller annual payments. The necessity for a force, adapted to military purposes, but with a principle of labour, from which the colony would reap immediate and permanent good and Great Britain might expect an increasing revenue. His idea that temporary barracks might be built at the head of the navigation of the rivers, whilst the troops should be opening roads. These barracks to be afterwards turned into public houses, to be let by auction for revenue to Government. No licenses to be granted except for similar houses. Proposes also that Government furnish material for grist and saw mills, to be the property of Government and let by auction. The advantages of this proposal. Page 222

(See also letter to Dundas of 2nd June, which follows.)

February 22, London. Simcoe to Nepean. Asks for copies of the civil establishment of Nova Scotia, the naval armament on the Lakes and the Indian Superintendencies. Believes that changes in these must be made for Upper Canada. 225

March 16, London. Same to same. The great utility of his going to Congress on his way to Upper Canada to mediate for the Indians. Elliot has declined this embassy to the United States. The saving of expense should he (Simcoe) go. 226

June 2, London. Same to Dundas. His ideas on the Government of Upper Canada, so as to secure habitual influence in support of the British Constitution extended to that country. It will be necessary to establish the frontier government between Lakes Ontario, Erie and Huron. To prepare for the reception of various classes of emigrants (described) a capital should be established in a central situation and a great body of emigrants collected in its vicinity. The peninsula surrounded by the waters of the Great Lakes the most favourable situation for a British colony. Describes the immediate and future advantages of his proposals. To effect this a corps should be raised independent of the line, to be employed for civil purposes, for public works, &c., having a body of military artificers attached. The necessity of a force for military duty. How the expense could be defrayed. The system of drilling; how the officers should be selected. It is indispensable that a Bishop should be appointed for Upper Canada; has recommended Mr. Peters, late of Connecticut, as a proper person for the episcopal functions, and that if appointed he should go to Connecticut to invite the loyal clergymen of the Church of England, or of those Puritans who would embrace its doctrines, to settle with their parishioners and others in the proposed capital. The administration of justice has been nobly provided for by the appointment of a gentleman of high qualities to the principal office; does not doubt that great care will be taken to fill up the inferior stations. There are loyalists enough to fill up other offices of trust. The utility of appointing a good man to watch the public expenditure and accounts. Every officer in every

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department should be appointed upon the public principle of being capable of performing his duty, and being zealous, active and honest therein. (The document gives at length the reasons for the different proposals.) Pages 228 to 255

July 23, London. Simcoe to Dundas. As the season for sailing has almost worn away, desires a decision upon the preliminary establishment stated to Grenville, of which copy is sent. Without this he would be obliged to decline the office for reasons given. 256

July 30, Wimbledon. Dundas to Simcoe. Would be sorry to lose his services but cannot give a decisive answer as it does not depend exclusively on his opinion. Hopes soon to have the question considered and settled. 257

August 2, London. Simcoe to Dundas. As Levi Allen is to have an interview with him (Dundas) sends account of his previous transactions with Grenville. In 1789, Allen was authorised, under the Great Seal of Vermont, to treat for commercial intercourse. The memorial was reported on in 1790, by the Lords of Trade. He (Simcoe) had pressed on Lord Grenville the necessity of cultivating the good dispositions of Vermont, of which His Lordship valued the importance. His (Simcoe's) determination to press a matter hitherto unattended to, as Allen was about to leave, and the appearance of a Spanish war added to the propriety of forming the connection. Allen compensated for his losses as a loyalist. The misfortune to the southward (the capitulation of Cornwallis) had prevented Vermont from joining, as is evident from the correspondence. There are now two parties in the State. That on the North River wishes for a connection with New York; Robinson, the late Governor, is the head of this party. By far the larger and more important division is disposed to a connection with Canada; of this are the Allens and Chittenden. Levi Allen's proposals for commercial intercourse, purchases a large cargo, but has his ship delayed from various causes, so that he could not reach the Sorel and was obliged to steer for Georgia; he has returned with sufficient cargo to pay his debts. Levi's honesty; Ira has the same policy as during the war, namely, that if neutrality could not be secured it would be to Vermont's interest to join Canada. Report that Chittenden is defeated and Robinson elected Governor, and that Vermont has joined the United States. Allen says that Robinson gained by surprise, that Chittenden is re-chosen, that Congress has resolved to admit Vermont, but that Vermont has not yet definitely resolved to join. The admission of Vermont and Kentucky makes fifteen States. The greater importance of cultivating a connection with these two States rather than with any others for reasons given. The division of interests in the United States; its causes and effects discussed. How Levi Allen could be of service. The importance of Vermont not levying duties on goods from Great Britain; she will thus become the storehouse for British commodities for the Eastern States. The division of opinion on commercial matters between North and South; Vermont should support the policy of the Southern States, as if she has joined the Union, no distinction can be made between her and the others. The example of Vermont would have great influence in Kentucky, the majority of whose inhabitants are averse to a union with Congress, a feeling shared by the settlers on the rivers flowing into the lakes, who reject as unconstitutional and oppressive the levying on them the same federal duties as are raised on the sea coasts. These are presented as Allen's views. The prejudices against the Allens due to misrepresentations of the New Yorkers. His (Simcoe's) anxiety for the welfare of Canada has led him to urge his views as to the policy to be adopted. 259

August 3, London. Same to Grenville. The season for getting to Quebec is wearing away; it is of the highest importance that the Governor, whoever he is,

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should be sent out this year, as although the lieutenant-governor might get to Upper Canada from England in Spring, within a week or two as early as from Quebec or Montreal, yet it is of importance that the name of the establishment being carried into execution should reach America, and that terms should be held out to invite settlers. Hears that the Tenesee country has been sold in London for £70,000, and it is not better circumstanced to receive settlers than Upper Canada. States what his military rank is; the dates of his appointments, &c. Presumes that in Upper Canada he shall be subject only to the military authority of Dorchester, whether he (Simcoe) hold the unmeaning title of Brigadier General, or that of Major General. Respecting the salary, he looks rather to future promotion than to present emoluments, and if the appointment of a Bishop is withheld on account of the expense, offers to give up £500 a year, which, with £200 from the casual revenue, should afford a competent salary. The benefit this would be to Great Britain. Has sent observations on Levi Allen and Vermont direct to Dundas. Page 271

August London. Simcoe to Grenville. The painful impression on his mind that no colonial force is to be established in Upper Canada. Reiterates the reasons for the adoption of such a measure in a civil and military point of view. Had hoped that the active exertions of the American servants of the Crown might have placed this colony beyond the reach of insult, but if these exertions are cramped or wholly fettered, he fears that their expectations will be disappointed, and that the situation destined for him will not hold forth inducements to any honourable ambition. 277

(There is no date to this letter, but there seems little reason to doubt that it was written in August.)

August 12, London. Same to Dundas. In expectation that the detail of the Upper Canadian Government would be discussed and finally settled next day, sends him a summary of such arrangements as he had previously suggested: 1. The episcopal establishment. 2. Military establishments. 3. A company of Artificers. 4, 5. Independent companies. 6. Deputy Quartermaster General. 7. Legal appointments. 8. Executive Council. 9. The appointment of Mr. W. Jarvis to be Secretary and Clerk of the Council. 10. A printer who might also be post master. 11. Mr. Russell to be collector of customs, auditor and receiver general. 12. Surveyor General. 13. Provisions for settlers. 14. A constant supply of Government stores. 15. The supply of tools and materials to be disposed to settlers at cost price. 16. A supply of copper coinage. 17. Books for the foundation of a public library. Transmits three letters; one from Ethan Allen, with the substance of politics relative to Vermont; another from Elijah Clarke, a general of Georgia, who can neither read nor write; the third from that active adventurer, Bowles. He (Simcoe) is anxious to mediate so as to bring the Indian war to a termination. The hostile movements of the Americans and Indians. Urges the necessity of support to Upper Canada in its infant state, so as to put it beyond the reach of enemies. The uselessness of half measures. (The various subjects in the letter are discussed at considerable length.)

August 16 London. Same to same. Sends sheet respecting the Quarter Master General which forms part of memoir. (The sheet was put in its place and is embodied in the memoir.) Transmits also recommendations of particular persons for Canada. 312

Observations by Simcoe respecting posts on the lakes. (Copy sent to the Duke of Richmond.) 314

September 6, Walford Lodge. Simcoe to Dundas. States his reasons for desiring to have the local rank of Major General. Desires to employ Littlehales either as Deputy Adjutant General, Brigade Major or Aide-de-Camp. Has induced Captain

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Stevenson to go with him to Quebec, so that in case of accident to him (Simcoe) he may leave a protector for his family. Page 321

September 12, London. Simcoe to the Duke of Richmond. The species of armament that should be sent for the defence of Upper Canada. 327

September 30, War office. Sir George Yonge to Dundas. Sends estimate of the military establishment for Upper Canada. 333

The names in the estimate, with salaries, are:

Major of Brigade, Capt. Edward Baker Littlehales	£ 172	17	6
Commissary of stores and provisions, Capt. John McGill	172	17	6
Chaplain, Rev. Edward Drewe	115	5	0
Surgeon, John McAulay	172	17	6
Fort Major, Ens. Robt. Eyre	86	8	9
Barrack Master, Justice Wright (since dead)	69	3	0
	£ 789	9	3

November 12, Quebec. Simcoe to Dundas. The "Triton" arrived early on the morning of the 11th. Will write by a merchant vessel. Had delivered the letter sent by the King to Prince Edward. 1

November 13, Quebec. Same to same. Arrival of the "Triton" after a stormy passage, in which she received no damage. Delivered Dorchester's commission and the dispatches, Sir John Johnson's Commission and Major General Clarke's. Had also delivered letter to Prince Edward. 3

November 17, Quebec. Same to same (No. 2). Sir George Yonge having stated that he (Simcoe) could not hold the military rank intended for him, until the arrival of part of the corps of which he was, as Lieut.-Governor of Upper Canada, to be commandant, asks that he may not wait for the uncertain contingency of the arrival of the corps, but may receive letters of service by the first opportunity. Although he has not the name, he has all the responsibilities of a Major General; trusts that in him (Simcoe) Dorchester has in Upper Canada an officer who is anxious to secure his good opinion. Asks, as he cannot do it in person, that he (Dundas) would obtain from Dorchester the definition of the extent of his (Simcoe's) military authority, the same to be notified to Clarke, who now commands in North America. His ideas of the extent of the command. The communications between Lower and Upper Canada are conducted by the blending of civil and military authority, a system which he has made a leading feature in the plans for the settlement and security of Upper Canada, to be extended to the creation of future settlements and the establishment of a capital. Asks for the appointment of a Deputy Quarter Master General for Upper Canada, for which he recommends Captain Stevenson. For reasons given, urges sending out the corps for Upper Canada, the military artificers, &c., at once, and that a British regiment be also sent. The appearance of force in Upper Canada is the best means to prevent a hazardous war, and this argument is not invalidated by the fact of an army being sent against the Indians by the United States. A few years of peace and protection will build up the Government of Upper Canada, and he ardently hopes a solid military and agicultural foundation to resist foreign hostilities. His intention to collect useful information, and to make himself acquainted with the military situation. 13

November 19, Quebec. Same to same (No. 1). Chief Justice Smith has pointed out that as soon as Clarke's proclamation giving effect to the Constitutional Act of 1791 is issued, there will be a deficiency in the powers vested in the Lieut.-Governor of Upper Canada, as, for instance, that the mercy of the Crown could not be extended in remitting fines or forfeitures, nor

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its justice in executing sentence of death. For the present there is no remedy; there is not in America a major part of the Executive Council of Upper Canada to administer the oaths, to enable him to assume the duties of office, and Clarke cannot administer the Government of Upper Canada. Has asked the Chief Justice not to make this public. He (Simcoe) holds that all the inferior magistrates hold office in accordance with clause in the Act. The surprise of the Chief Justice that provision was not made for the Governor General nominating Executive Councillors to carry on the necessary business. There are only four now, namely: Chief Justice Osgoode, Robertson, Grant and Russell. Another is to be named from Detroit, and a blank is left for some one else, but does not suppose that either he or Dorchester can legally fill up blanks. Desires that Jacques Baby be appointed to the Executive and Legislative Councils; the other vacancy he asks power to dispose of. The only one of the Executive Council in Canada is Grant. It will be late before a sufficient number can be convened beyond Pointe au Baudet to invest him with the office; suggests that power might be given to call certain men together for this purpose. The necessity of ordering all the civil officers of Government to Montreal. Page 7

Chief Justice Smith's opinion referred to. 12

November 19, Onion River. Levi Allen to Simcoe. His arrival at Halifax and his journey by Boston to Windsor, Vermont, the place of the annual session of the General Assembly. There had been an adjourned session held about six months previous to the stated term, at which the resolution agreed to by a convention to join the United States had been confirmed. Had the junction not been completed, it might have been prevented, but in the event of its completion Nepean had instructed him not to interfere, but had spoken in strong Vermont language of the advantages had the State remained as it was, the truth of which was acknowledged and the measure condemned as premature, the people feeling much hurt that a set of designing knaves, merely to obtain places of honour and profit, should have led the State by the nose. Is enraged that the Secretary of State had no information of the convention or adjourned meeting. Is satisfied that had he arrived last year with the goods, Vermont would not have joined the Union, for if it had not been done at the time it would not have taken place, as the goods coming from England through Canada would have opened the eyes of the people more than logical orations by all the learned men in Europe. Ethan Allen was dead; Ira Allen, through his cursed lucrative ideas, was afraid of losing lands on the Canadian line and was silent; a number wanted to go to Congress, and though four only would be sent, forty-four expected the appointment and spread themselves over the State. Chittenden, though against the Union, was afraid of unpopularity should he openly oppose it, and so poor Vermont had no one of influence to say a word for her real interest. Is horribly mortified, especially as the first men, in and out of office, assured him they would not join Congress, but wished to become a British Province. Would have gone to Quebec, but for orders to the contrary. 55

(In Simcoe's No. 4 of 16th February.)

November 20, Quebec. Simcoe to Dundas. Had written by a vessel which put back. Sends by a merchant vessel, the "Union," letters on different subjects. 23rd. The vessels being closed in by ice, sends this to New York but not the other letters. 5

December 7, Montreal. Same to same. Refers to previous letters, &c. and re-capitulates what he stated in dispatch No. 1. A case to be tried at Kingston before Judge Powell, who suggests that a proclamation authorizing the Courts of Judicature under the new bill should issue, not being aware that he is

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not authorized to assume such powers not having yet taken the oaths of office. Should Judge Powell refuse to act, fears that the inferior magistrates would follow his example. Has to determine whether it would be more prejudicial to the public to permit the opinion that there is no civil government in Upper Canada, or to issue the proclamation, leaving it to be understood, as suggested by Chief Justice Smith, that he has power to create an Executive Council, *pro hac vice*. The Secretary (Coffin) General Clarke and Chief Justice Smith are alone privy to the fact that this power is omitted. Another course is to fill up the blanks with the names of two Canadians, to be informed that the appointments are *pro hac vice*, and to summon Grant to Point au Baudet, so as to have a quorum. This step may afterwards be legalized; will, however, consult Chief Justice Smith and General Clarke before carrying anything into execution that may appear necessary in the situation. Recapitulates the contents of dispatch No. 2. Encloses copy of letter from Sir John Johnson in answer to one from him (Simcoe) in reference to Sir John's dissatisfaction at not being appointed Lieut.-Governor. The explanations had restored his good humour. Sends list of proposed Legislative Councillors in his own hand writing. Sir John's great influence in having members returned to the Assembly; the consequence to the future well-being of the colony that no ill humour should appear at its outset. Trusts that in future, Government will have the means to bring in some of its officers to the Assembly, so as to give it a form that might be adopted by those not accustomed to such pursuits. Sees no reason to apprehend opposition to Government, but the passions that actuate men everywhere may be expected to be proportionately active in Upper Canada. Hopes that the recommendation of Sir John Johnson by Dorchester may be so modelled as to the make it his interest not to be hostile to Government, which by no means seems to be his inclination. Has found in the surveyor's office an actual survey of the River La Tranche. Has no doubt its communication with the Ontario and Erie will be found practicable, so as to annihilate the political consequence of Niagara and Lake Erie. Toronto the best harbour on Lake Ontario and Long Point, the only good road on Lake Erie, are admirably adapted for settlements. These and the country between the Grand River and La Tranche form a body of most excellent land, on which no grants have been made, of which such portions may be retained as may be of permanent advantage and profit. Collins reports a salt spring falling into the Trent above the Bay of Quinté, as yielding a gallon of salt to three gallons of water. Trusts he may make this salt spring a valuable acquisition. Hopes to visit the spring early in the season. His idea is to assemble the new corps, &c., at Cataraqui, to take its present garrison, visit Toronto and the heads of La Tranche, then to Detroit; to return and assemble the Legislature in the autumn at Niagara, and in the ensuing spring occupy central position previously chosen for the capital. If possible, could wish to begin a settlement at Toronto. Page 22

Enclosed. Letter from Sir John Johnson referred to. 32

List of proposed Legislative and Executive Councillors, copied from the list originally sent to Lord Dorchester. 35

Map showing the course of the River La Tranche. 35*a*

1792. January 5. Quebec.

Simcoe to Dundas (No. 3). Clarke has issued a proclamation continuing the Judges, etc., in office; for reasons given, has not followed his example. Chief Justice Smith believes that nothing will be heard from Judge Powell on the subject. Is fully confirmed in the opinion he expressed before leaving Great Britain as to the propriety of the ecclesiastical and military arrangements. 40

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January 14, Matilda. John Munro to Finlay. Asks advice how to proceed in criminal and civil matters, being now separated from the Province of Quebec. The plot by two men at Agusta to burn the garrison at Oswegatchie. Justice Sherwood took the evidence and instead of sending the men to prison admitted them to bail contrary to law. When examined at the sessions they were committed and sent to Oswegatchie for safe-keeping; the arrangements made for this purpose. The two men are not of the corps of loyalists. The one was a continental soldier, admitted to receive land by Justice Sherwood, in spite of objections being made by the settlers. He has admitted other suspicious characters. The other is a young man of indifferent character. Other two men have run off, suspected to be in the plot, believed to be instigated by a Colonel Coughrin, out-lawed in New York. The plan he had adopted to avoid suspicion. Page 68

(In Simcoe's No. 4 of 16th February.)

January 15, Cornwall. J. Gray, J.P., to Simcoe. Is sorry that his first introduction should be in the case of two men now prisoners in the fort at Oswegatchie. How they are secured. If the imprisonment is to be long, they should be sent to Kingston. 60

Deposition of Thomas Goldin against Rice Hunwell and Cromwell Thirby for treasonable practices. 62

Examination of Rice Hunwell and Cromwell Thirby on the charge made by Goldin. 64

(In Simcoe's No. 4 of 16th February.)

January 15, London. Dr. Peters to Mr. Davison. Sends list of loyalists who have signed to go to settle in Upper Canada. Others intend to go, but refuse to sign in case that may prejudice their claims for compensation. Recommends advertising, so as to bring forward numbers of loyalists, who are useless here, but would be useful in Upper Canada. A trifling sum will pay their debts and leave them free to make them useful to themselves in the new colony. Immediate steps are necessary, as they should be on ship board by March, to be at Montreal by June, otherwise they cannot reach Upper Canada so as to house themselves before winter. Besides, settlers must in September or October clear and sow their lands for their subsistence in 1793. Putting matters back for two or three months would involve supporting the loyalists for another year. The object of settling Upper Canada is of too much importance to be neglected. Begs his interposition, so that the business concerning Upper Canada may be finished without delay. Desires to know how many loyalists Government will provide with passages for Upper Canada. Is daily teased by the loyalists, who want everything but hunger, nakedness and cold. His pain because he cannot relieve those who are perishing under poverty and naked distress. 340

Enclosed List of loyalists who have signed and agreed to go to settle in Upper Canada under Simcoe, 26th December, 1791. There were 51 families, 186 souls in all. 345

January 26, Matilda. Munro to Finlay (extract). Cochran's (Coughrin in first letter) designs, now discovered show that the charge against the prisoners was not groundless. They should be removed to Kingston before spring. Wishes for two or three Russians, to teach the people to raise and cure hemp. 75

(In Simcoe's No. 4 of 16th February.)

February 2, Quebec. Simcoe to Gray. Has applied for an order from the Commander-in-chief to have the prisoners, Hunwell and Thirby removed to Kingston and taken charge of by the military authorities. Shall be happy to receive any communications, from him (Gray). 66

(In Simcoe's No. 4 of 16th February.)

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February 6, Quebec. Simcoe to Munro. Is gratified at the judicious steps taken by him, (Gray) and the other gentlemen, in the affair of two persons charged with treasonable practices. Had written Gray that the prisoners were to be sent to Kingston. Is sorry to notice that he thinks, by being separated from the Province of Upper (*sic*) Canada, the magistrates have not power to proceed to business. Points out the provisions made in the Act for continuing the administration of justice after the division of the Province of Quebec, should there be any delay in receiving official authorization for the prosecution of such affairs in the separate Provinces, &c. Page 72

(In Simcoe's No. 4 of 16th February.)

February 7, Quebec. Proclamation to those desirous to settle on Crown Lands in Upper Canada, in English, 76; in French, 82. 76, 82

February 16, Quebec. Simcoe to Dundas (No. 4). Sends copy of Allen's letter and of correspondence between him (Simcoe) and magistrates of Upper Canada, who, whilst not considering themselves empowered to act in ordinary matters, yet have properly taken the duty of securing persons charged with treasonable practices. Suggests forming a new boundary between Lake Champlain to the Lake Oswego, including a river and the country not yet settled. New York, in view of such a possibility, granted lands in 1786, to prevent such a boundary being adjusted in that quarter. Thinks Oswego and even Niagara would be cheap sacrifices for such a limit, which would be strictly defensive. Has heard that Carleton Island is on the British side of the line, the better channel being to the south. Gentlemen selected for the Legislative Council have been informed of their appointment. Has issued the same proclamation for the disposal of Crown Lands in Upper Canada as Clarke has done in Lower Canada. Reports that persons from Pennsylvania and Connecticut desire to settle in Upper Canada. Desires to have instructions as to the rights of persons born in the present United States before Independence and those born since to obtain the rights of British subjects. Asks for instructions on the mode of accounting for the revenues; in event of the post office being established. The recent defeat of St. Clair may have a beneficial effect on Upper Canada, by bringing about a peace on equitable terms between the Indians and Americans. The effects of mediation between them by the King. The necessity for a central force being established at the Capital, so as to keep watch on the Indians in case they should be induced to show hostility. Should the frontier posts of Niagara and Detroit be given up, new arrangements must be made, a large force will be necessary to protect the infant Colony, and the new corps must be trained to the peculiar duties the country requires. St. Clair's determination, had he not been defeated, to establish with a strong hand a post in the Indian country near Detroit, which according to European politics would be deemed a most dangerous aggression. The due support of the colony in its infancy will, in a few years, be amply repaid. 44

February 27, Niagara. John Butler and R. Hamilton (in name of other magistrates) to Simcoe. Transmit address, which offers an opportunity at the same time of stating the promising prospects of the districts. The abundance of last crop was beyond their utmost expectations. The courts of Common Pleas and Quarter sessions perform their usual duties. From the attention of the magistrates and peaceable deportment of the people, there are but few cases; do not understand that any appeals are intended against the last decisions of the Quarter Sessions. Offers of personal service. . 131

The address, with signatures from the magistrates and others of the district of Nassau, dated 24th February. 133

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Memorials signed by McTavish, Frobisher & Co., Forsyth, Richardson & Co., and Todd, McGill & Co., in the fur trade, one dated Montreal 9th December, and the other 23rd April. Pages 136, 146

March 8. St. James. Warrant for the great seal of Upper Canada. 37*a*

March 10. Quebec. Simcoe to Dundas (*No. 5*)—Asks for instructions as to the authority of the Superintendent General of Indian affairs. The changes apparently made; the necessity for his possessing influence over the Indians at the present moment. Is anxious for early instructions, as it is of importance to the prosperity of the province to purchase a tract of land from the Indians of which he subjoins a sketch (p. 94 *a*). As the civil government is responsible for the propriety of the purchase, it does not seem proper that it should be subordinate to the Commander-in-Chief, but should act on its own authority and directly issue orders to the superintendent to carry its decisions into execution. The land is on a carrying place from Sturgeon Lake to another part of Lake Huron. Sends a sketch of part of Upper Canada, with the land proposed to be bought; this summer will be a good time to buy. The lands promised to Brant and other Indians have also been marked. It is particularly unfortunate that one of the first acts of his administration will be the trial of two Indians, connected with Brant, on a charge of murder. 90

Sketch of part of Upper Canada, with lands marked, which it is proposed to buy from the Indians. 94*a*

Commission to Sir John Johnson, Superintendent General of Indian Affairs. 95

Extract of letter from Dundas with Sir John's Commission. 97

March 15. Quebec. Simcoe to Dundas (*No. 6*). Had received answer from the magistrates of Luneburg. Thanks for letters and acts respecting the courts of justice. Has not heard of any other difficulties arising from the suspension of his taking office. It is fortunate the troops of the United States have been disappointed in the attempt to establish themselves in the vicinity. Sends return of people who came into Oswego during part of the last year. 98

Return of the number of souls entered at Oswego from the United States, sent to the new settlements. 100

March 16. Whitehall. Dundas to Simcoe. Transmits copies of letters from Grenville to Dorchester and Hammond, respecting the disputes between the Indians and the United States. The King has proposed his good offices for the establishment of a permanent peace between them on the principle of securing to the latter such a territory as is stated in the letters. He and Clarke are to send to Hammond such a person and such documents as may be of the greatest assistance in the negotiations, in forming a proper judgment of the territories to be secured to the Indians and in ascertaining the boundaries. Mr. Givens recommended to be the bearer of dispatches to and from Hammond. McKee from his local knowledge &c., should be sent to Hammond, but if his services cannot be obtained some other suitable person is to be selected. 36

March 16. Whitehall. Same to same (private). Recommends Givens for employment in carrying confidential communications to and from Hammond. 38

April 10. Whitehall. Same to same. Dispatches received. As the corps for Upper Canada is leaving at the same time as the dispatch, nothing need be said of his assumption of military authority; so soon as the other points are decided on he shall be informed. If the proposals in his last dispatch (see 10 March, p. 36) can be brought to a happy conclusion, they will have a considerable effect in establishing the future peace of Upper and Lower Canada. The arrival of Osgoode and Russell will relieve him of his difficulties. Hopes they will arrive in time to prevent the necessity of

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any extraordinary mode of proceeding. Leave of absence to Sir John Johnson. Page 42

April 21, Philadelphia. Hammond to Simcoe. Resignation of St. Clair and appointment of Wayne to command the Western Army, with Morgan, Brooks, Willet and Wilkinson as Brigadiers. Wayne the most active, vigilant and enterprising officer in the American army, but his talents purely military. His services during the last war were those of a partisan rather than a general. The forces recruited in the Eastern States cannot be prepared to take the field till October. In the meantime detachments and militia enlisted for six months will be placed on the frontier to repel straggling bodies of Indians, no other military service can be expected from them. The universal desire to possess the posts renders it probable that the troops may be inspired with the same feeling; it depends on the Commander-in-Chief whether an attack may not be made, and it is likely from Wayne's character that this might be the case. No doubt the Government will be cautious, but if the attempt is made and succeeds, can conceive they will add their sanction to the popular approbation. Does not wish to create alarm, but will watch every movement. 187

(In Simcoe's No. 10 of 21st June.)

April 28, Quebec. Simcoe to Dundas (No. 7). Munro of Luneburg disappointed of coming to Quebec owing to bad weather. He writes that a report circulated by lawyers in Montreal that there is no law in the district, has been counteracted by the circulation of the proclamation and letter to Judge McDonell. Emigrants flocking in. Had expressed his satisfaction at the steps taken by Munro. Sends copy of address from Niagara; has not heard from Detroit since his arrival. Hopes that no inconvenience will arise from his being unable to take the office of Lieut. Governor; hopes for the speedy arrival of Osgoode and Russell to enable him to do so. The inconvenience arising from the limited number of the Executive Council. Has taken advantage of his stay here to get a competent knowledge of the system of disposing of waste lands. It is almost impossible to comply with them; shall direct the Surveyor General to make arrangements to promote the settlement of the district of Hesse, as conformable to the instructions as possible. Neither on general principles, nor for military defence, does he conceive it necessary to erect a town or fortify the pass opposite the Isle of Bois Blanc, not even should Detroit be ceded. The position of the two countries is that of a truce, which Great Britain desires to convert into a perfect peace; the Government of the United States mean otherwise. For this reason, in ceding the forts, no measures should be taken, such as erecting new forts, to give evidence of suspicion. This is a question of policy. Gives reasons in support of this policy. His reason for specially opposing the erection of a town opposite Bois Blanc is that it is urged by the land board of Hesse as a reason for purchasing lands from the Indians, which McKee declares to be essential to their comfort. His disagreeable situation in not being able to act in any military situation or assume the Government of Upper Canada led him to send Capt. Stevenson to New York with dispatches that they might the sooner reach the Ministers, it not being considered safe to send dispatches through the United States in the usual way, especially at the time when the result of the engagement between the Indians and United States was not known; he was particularly induced to send in this way, so that memorial respecting the fur trade from merchants of Montreal might be sent to Hammond at Philadelphia. The importance attached by Hammond to the memorial. Sends copy of this and and of another memorial on the same subject. The Americans threatening the trade with the Indians contrary to the provisions of the treaty of Utrecht, which regarded

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them as free nations. The violation of this treaty by France alleged to be the cause of the war in 1756. Refers to Sir William Johnson's views on this subject contained in his report to the Lords of Trade in 1763. Why he makes his present representation. The fur trade as now carried on, is of no use to Upper Canada; even if a change took place, doubts if it would do good as it would probably injure the industry, the source of future revenue. The fur trade should be left to the North-West in the hands of the companies. How the Indians in the settled parts might be dealt with to encourage them to bring in their furs, instead of the traders going to their villages. Settlements should be prohibited within the Indian lands, and the Indians on the Grand River and opposite Detroit should be encouraged partially to continue their hunts, the produce of which would be a medium of traffic between them and the petty merchants, which would encourage other Indians to follow their example and to bring their products by water. Upper Canada would thus have a share of that trade and Great Britain a vent for her commodities. How the consumption of such goods may be increased. His uneasiness at the continuance of the war between the Western Indians and United States; the time for open mediation is past. The object of St. Clair's movement has been fulfilled and, as Washington says, only men have been lost, owing to the Indians not having followed up the blow and destroyed the forts, and their having given up the Miamis villages and fallen back towards Detroit. Thinks the Indians may have made an unsuccessful attack on Fort Jefferson. Regrets that the Six Nations sent deputies to Philadelphia, as no effort would be spared to cajole them into a war against the Western Indians. The Six Nations have themselves a claim to the lands involved in the dispute, as appears by the reports of Sir William Johnson in 1763, and the negotiation of the treaty of 1768, and there is little doubt the United States will try to revive these dormant claims. Refers to previous recommendations as to the force needed in Upper Canada, as respects existing circumstances, but not to what would be adequate in case of war. The advantage to be derived from the admission of loyal clergymen and settlers from Connecticut. The application for townships on the line between Lower Canada and the United States are founded on the hope of individual emigration. Were his idea carried out this might be made collectively. How the conditions might be made public. Proposes to send a proper person to the Quakers in Pennsylvania, owing to some intimations he had received of their wishes to remove. Respecting the difficulties, owing to the non-arrival of the Council, to advertise the mode of applying for Crown Lands in Upper Canada. Shall propose to the Assembly to pass an Act to legalise the ownership of the land in loyalists who have received promises or certificates from competent authority, thus saving to these valuable men the fees of office and much trouble to the officers, and establishing the foundations of the colony. The necessity for coinage; had recommended a copper coinage, now recommended an issue of sixpences also, £500 of each kind, which would be of great use. But the question of higher education is of still more importance, lower education being less expensive may in the meantime be provided by relations and more remotely by school lands. The higher must be indebted to the liberality of the British Government, as owing to the cheapness of education in the United States the gentlemen of Upper Canada will send their children there, which would tend to pervert their British principles. He proposes: two school masters at Kingston and Niagara at £100 per annum; a University, with a head and professors in the capital, all of whom should be of the Church of England, and, the medical professor perhaps excepted, clergymen. Rectories

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might be appropriated in room of salaries, with other means suggested for lessening the expense. Is impatiently expecting the next dispatches, so that he may be enabled to proceed to Upper Canada. The fitness of places already recommended for settlement, namely Toronto, the capital on the river La Tranche and the vicinity of Long Point. Considerations affecting the choice of these places. Proposes to call the Houses together near Niagara, as the most central spot for the convenience of the different settlements. Page 104

May 5, Whitehall. Dundas to Simcoe and Clarke. Sends copy of letters to Hammond, respecting the good offices intended to be interposed by His Majesty between the American States and the Indians. 88

May 26, Quebec. Simcoe to Dundas, (No. 8.) Sends sketch of the communication between Lakes Ontario and Huron in the vicinity of a Salt spring, as reported on by John Collins. Has sent a proper person to analyze the spring; should it bear only a distant proportion to the estimate by Collins it will be most valuable. Dr. Nooth is to superintend. The great value of salt from the increased consumption necessary for the preservation of animal life at such a distance from the saline particles of the ocean. The cost of carriage &c. The other advantages to be expected from the production of salt. 165

Sketch referred to. 167*a*

Remarks by John Collins. 167*b*

May 26, Quebec. Simcoe to King. Sends key to the cypher in a letter to Nepean. 168

May 28, Quebec. Same to Dundas (No. 9). Dispatch with enclosures received. It is the first dispatch that has reached him from the Ministry since he left Great Britain. Is pleased that he has sent Hammond communications that may be useful and shall be happy if peace on the frontiers of Upper Canada shall be established on the principles adopted by the Ministry, but fears it is not the intention of Congress to listen to such terms, even if it had the power to carry them into execution. There are strong parties against the federative powers of Congress being competent to any interference in the territorial jurisdiction of the separate States. Had lately informed Hammond that Vermont would have little difficulty in getting an extension to the westward, as the people of the City of New York are jealous lest their increasing possessions in that quarter should give such an ascendancy to Albany as to occasion the State to fix on it as the capital. The demolition of Oswego, might secure a revised boundary, which would give possession of the Genesee, the product of whose lands would be most advantageous to Upper Canada, and in case of hostility, they would afford the most accessible and defensible magazines. New York will scarcely admit these lands to revert to the Indians, nor will New England, which sold the property. Arrival of the transports the "John" and "Betsey," with part of the Queen's Rangers. Is anxiously expecting Chief Justice Osgoode. 169

June 9, Whitehall. Dundas to Simcoe. Dispatches received. Refers him to previous letters for information respecting boundaries between the American States and the Indians and between Upper and Lower Canada. Conceives the definition of privileges to persons from the United States to be a proper object for a Provincial Bill. Any Bill respecting the establishment of a Post Office should be reserved for the Royal assent, so that it need not be now discussed. Will prepare such a warrant for the office of Superintendent General of Indian Affairs as will serve the purpose intended, but will be able to consult personally with Sir John Johnson. 101

June 20, Whitehall. Same to same. Sends two reports by Lord Dorchester, respecting loyalists desirous of settling in Upper Canada, for whom provision has

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been made, with details of gratuities of necessaries and implements of husbandry to be furnished. They are to receive the quantities of land specified. Page 163

June 21, Montreal. Simcoe to Dundas (No. 10). Dispatches received. The early arrival of the Queen's Rangers has enabled him to exercise military authority, which he could not do before. The water force on the Upper Lakes should be under his authority and the officers' commissions issued by the civil Governor of Upper Canada; being a provincial force, it may as soon as possible be provided for by the province. Reiterates his request for the appointment of Captain Stevenson as Deputy Quartermaster General, for reasons given; also the request for a company of artificers on account of the saving that would be effected. Reasons why another regiment should be sent to Upper Canada, where its immediate appearance might prevent war; asks also for a competent field train. A letter from Hammond confirms his belief that Washington, Mifflin, who governs Philadelphia, and Lee, the Governor of Virginia, would zealously support Wayne should he attack the posts, an object generally believed to be necessary to the success of the Indian war, and should the commander in such a war succeed, he would look to be successor to Washington. He (Simcoe) will be cautious so as to give no reason to the United States for a war with Great Britain, but he knows the leaders in the United States too well to believe that the most temperate conduct can avert a war, should it be necessary to maintain them in power. Hopes for the settlement of an Indian boundary. The arrival of Osgoode and Russell has relieved his embarrassment. The defeat of St. Clair had freed him from the necessity of taking extraordinary steps to avoid the disability he lay under. Asks for power to appoint councillors *pro tempore* in case of vacancies from death or other cause. Respecting lands for the Indians. The Chief Justice has left for Kingston; he will follow next day; Shank with the first division of the Queen's Rangers is already at Kingston. In the list of officers voted by Parliament, no salary is attached to the office of Surveyor General; the importance of the office, requiring great professional skill and equal integrity in the officer; is afraid of mischievous effects from incompetent persons being employed. The system of paying the Assistant Surveyors. The necessity of paying a competent person a good salary to take charge. Has no one here he can recommend. 178

Suggestions respecting the boundary by McKee, sent to Hammond, and remarks on the policy of retaining Detroit as an equivalent for the Genesee country by Simcoe, also sent to Hammond. (Enclosed in No. 10 of 21st June.) 191–192

July 12, Whitehall. Dundas to Simcoe. Letter (No. 7) received and laid before the King. One or two members to be added to the Council from the the principal Canadians of Detroit. He is to transmit the names of three or four of the most competent for the duties. Is obliged for his transmission to Hammond of information respecting trade, which is valuable. The favourable result of successful interposition by the King between the United States and the Indians; it would do away with the necessity of considering the best situation for posts. If his (Simcoe's) ideas were carried out, the Indians could secure the part of the fur trade best adapted to their nature. Doubts the benefit that would arise from the great emigration he expects; it is the effect not the cause of prosperity. The want of control over an ungrafted population; obserance of the laws must grow up with a progressive and regular population. Does not wish to check emigration, but it appears as if settlers were coming in sufficient numbers of their own accord, without going out of the way to seduce or allure them. By making their situations comfortable and happy, others would be attracted, but nothing could be

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more offensive to their notions than to make the emigration of their subjects a professed object of Government. Steps will be taken to stop emigration from Britain, but it is to be wished that those who go should settle in the Colonies. Respecting fees, which may be fixed by the Council. As to schools and a university, thinks the first will be sufficient for some time. Schools, or at least one of them, should be of the first order, and whenever steps are taken by the province to establish such a seminary as may meet the approbation of His Majesty, he (Dundas) shall with great satisfaction receive his pleasure as to the extension of the royal bounty towards its support. Page 172

August 15, Whitehall. Dundas to Simcoe. Dispatches received. Hopes the salt spring will turn out as expected. The negotiations of the United States with the Indians are not favourable to the proposed interposition, although that was conceived on the most liberal grounds. Desires to have report from the Secretary at War before forming his opinion respecting the appointment of a Quarter Master General. The pacific dispositions of the country towards all foreign powers and the reductions in aid of the revenue, are strong objections to the increase of military or naval establishments, where not absolutely necessary. Two regiments have been withdrawn from Nova Scotia, not to be replaced. It is intended that the Surveyor General of Lower Canada shall fill the same office in Upper Canada, but without additional salary. 194

August 20, Niagara. Simcoe to Dundas (No. 11.) Shall send Hammond such information as may be useful. Sends copy of the proclamation for the divisions of the Province. The militia return was chosen in equalizing the numbers for representation. The present courts of Justice and magistrates continued in the meantime. Large emigration expected; has promised the Quakers exemption from militia duties. Has in the meantime decided to hut the Queen's Rangers at the new landing on the Niagara; will, in spring, occupy a post near Long Point, and another at Toronto, and to settle himself on the river La Tranche. 197

Proclamation dividing Upper Canada into counties, &c. 199

September 27, Niagara. Simcoe to Dundas. Leave of absence to Justice Powell. Contradicts the reports respecting his loyalty founded on a most atrocious forgery. His conduct has been such as becomes his station. 217

December 6, Whitehall. Dundas to Simcoe. Dispatches received. No means will be neglected to obtain a final adjustment of the boundary between His Majesty's Dominions and the United States. Care to be taken to prevent any ill-humour at a time when propositions of so desirable an object are likely to be brought forward. 219

No date. Memorandum by Simcoe respecting the rank that might be given to Captain Stevenson and Lieut. Spencer, two members of the staff of Upper Canada. 335

Estimate of the charge of a corps of foot of two companies, each of 200 rank and file. 337

Note of objects that may be worth the attention of the new settlers in Upper Canada. 338

State of the subsistence of Colonel Simcoe's corps of foot for 1792. 339

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LIEUT.-GOVERNOR SIMCOE AND MISCELLANEOUS—1792-1793.

Q. 279—1.

August 30, Navy Hall.

Simcoe to McKee. That it is desirable the Indians now meeting from the furthest parts of Canada should spontaneously solicit the King's good offices to bring about terms with the United States. It must be impressed on them, if they do, that the King is neutral and will support no hostile movements on their part. To offer mediation without this would be to make it appear as if it was offered without a request from either side, whereas to accede to the solicitations of the Indians would be only a compliance with the wishes of nations in alliance with them (the British). As the Indians cannot get copies of the treaties except from the United States, which are a party concerned, or from Great Britain, which has only a general interest to prevent a war, the Indians could with propriety apply to the British Court to supply them with copies of their former treaties and deeds of cession, to show what the claims of the British were before the grant of independence, and the treaties subsequent to that event. Sends extract from letter of Sir William Johnson to the Board of Trade in 1763; a comparison of this with the treaty at Fort Stanwix, in 1768, will show that neither the Canadian Indians nor the Six Nations to the northwards have sold land to the United States. Land jobbers have been selling this land which they say they bought from the United States, although the Indians do not acknowledge to have sold it. Sends also letter from Knox to Brant, respecting the rights of the Indians in the western territory, and other titles giving the Indians a right to appeal to the King for his mediation. What may be done at the council to be held at Buffalo Creek. Bunbury, who carries this dispatch, will give further particulars. . Page 13

(In Simcoe's of 4th November.)

September 27, Niagara.

Same to Hammond. Approves of his not having as yet offered to mediate between the Indians and the United States. The effect of another defeat of St. Clair and of the transfer of the posts in securing a proper boundary. Considerations as to the policy of agreeing to a limited military and naval force at the posts and on the lakes, the latter of which is necessary for carrying merchandise and stores. Should rather, on these grounds, advise augmenting than limiting the naval force. Respecting the means of communication for the fur traders and of free passage to the Mississippi, the Wisconsin River being best adapted for this purpose. The stipulations in the Treaty of Utrecht, where not otherwise modified, should be insisted on. Britain must lose the fur trade of Detroit, but that to the North-West the States cannot expect to obtain. Further respecting the Indians and the delivery of the posts. 21

(In Simcoe's of 4th November.)

October 6, Quebec.

J. F. Holland to Simcoe. Encloses his proposal to explore the North-West quarters lying between the Slave Lake, in about 60° of latitude and 140° of longitude and the line of coast traversed by Cook. His reasons for the proposal; its advantages, &c. 207

Proposals. 213

(In Simcoe's No. 12 of 23rd November.)

October 9, The Glaize.

Proceedings of a Council of Indians (names given), held at the Glaize from the 30th September till date. 31

(In Simcoe's of 4th November.)

October 23, Fort Erie.

Journal of the proceedings of William Johnson, Interpreter, from Niagara to the Westward, to the Indian Council. 62

Map of the St. Lawrence from the eastern end of Lake Ontario eastward to the Cascades. 71*a*

(In Simcoe's of 4th November.)

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November 4.
Navy Hall.

Simcoe to Dundas. Dispatches received. Had done everything in his power to assist the loyalists and sent Stevenson for that purpose to Kingston. They had not arrived there till the 3rd of October, when they were furnished with such accommodation as could be procured, but many preferred to go on their own lands. The King's vessels to go to Kingston to bring up those who wished to settle in Toronto (York), provided there was a sufficient number. Very few were found willing to come to so remote a distance from settlements. Most of them had gone to ungranted lands in the neighbourhood of Kingston, which the Surveyor General has been ordered to lay out. Disappointment at the result of the investigation respecting the salt spring. Offer from Genesee to sell salt for one dollar a bushel, that from Quebec costing three. The value of the springs already worked between Niagara and the head of the lakes. Acknowledges the propriety of lowering all permanent establishments, but still urges the establishment of a military force. In event of a settlement of the Indian question and matters in dispute with the Americans, would consider any other force unnecessary, although useful. A company of military artificers is, however, absolutely necessary. Has given commissions, as Governor of Upper Canada, to officers of the naval Department. Does not ask for more expense in this service, but he and the Deputy Quarter Master General should have the sole management. Naval articles of war should be framed for the discipline of the service; how it could be recruited, so as to get better seamen than the profligates picked up from the refuse of the merchant vessels. Will propose a militia bill at next session. Has appointed an Adjutant General, an officer indispensable for the management of the corps. Hopes that arms may be furnished to the militia; the Macdonells of Glengarry have asked for a competent number of broad swords. The Queen's Rangers are hutted at the landing, now Queenstown. Mr. Street disputed the right to the land, but judgment has been given in favour of the Crown. The question of reserves, many of which are occupied by private persons. Has appointed a superintendent of these reserves, and will transmit a more particular report drawn up by Lieut. Smith of the 5th Regiment. The resignation of Mr. Robinson from the Executive and Legislative Councils. The inconvenience arrising from the small number of Councillors; recommends Captain Lieutenant Æneas Shaw and McGill, Commissary. Capt. Stevenson carries this letter. Sends copy of correspondence respecting Indian affairs and a map of the St. Lawrence. Page 1

November 4.
Navy Hall.

Same to the same. Sends Journals of Assembly and Council. Had found that the general spirit of the country was against the election of halfpay officers and in favour of men who dined in common with their servants. Had been enabled at Kingston to secure the return of Mr. White, the Attorney General. Lieutenant Smith had also been returned from the services he had rendered as clerk of the Land Board. The composition of the two Houses. The members of Assembly active and zealous for particular measures, which were soon shown to be improper or futile. Their over liberality in providing for the officers of the House; the Council's expenses cannot be less. Bill proposed for building gaols and court houses. To provide for these a bill was passed for imposing a tax on spirits to produce £1,500. Proposal for a county rate for county purposes rejected, on the plea that it would prevent emigration, and all argument was useless as the members were all land holders. The bill imposing a duty on spirits rejected on the ground chiefly that it would probably produce vindictive measures on the part of the other Province. The Council cautious and moderate, and will constitute a valuable check upon precipitate measures. The rejection of the rum

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bill caused resentment in the Assembly which soon subsided. The ehment of the members to the elective principle in town affairs. bill provided for this postponed. A bill to make irregular marriages did isthe favourite measure of Council. An ill-digested bill only ith-wn on the promise that a bill should be prepared for the considera tion of Government. On the whole has had no reason to be dissatisfied with the disposition of the Assembly. The dividing of the province into counties necessary as a certain basis for representation in a country where there is not yet a village, as well as to unite and melt the several districts which had seemed to acquire distinct interests. To promote an aristocracy, he had appointed lieutenants to the populous counties, and has given them the recommendatory power for the militia and magistrates as in England. Is at a loss for a proper subject for taxation. Is in hopes that the reserves will in a few years yield a great revenue. Page 79

Journals of Legislative Assembly from 17th September to 15th October. 87

Journals of Legislative Council for the same period. 135

November 5, Navy Hall. Simcoe to Nepean. Asks that tables of fees should be sent, one for those chargeable on grants of land; the other for the general fees for officers. Sends requisitions for stationery: its high price. Request sent for materials to work a salt spring in the neighbourhood. 72

Requisition for stationery for the Surveyor General's Department. 74

The same for the Governmental printing office of Upper Canada. 76

For sundry articles necessary for working the Salt Springs near Burlington Bay. 77

November 6, Navy Hall. Simcoe to Dundas. The necessity for a bill to make valid marriages contracted in Upper Canada and to provide for them in future. Encloses a bill for the purpose, framed by Chief Justice Osgoode, and a report on the same subject, submitted by Mr. Cartwright. Anxiously calls the attention of the Ministry to the ecclesiastical state of the Province, which cannot be established owing to the want of the Episcopal function there. The distance of the Bishop of Nova Scotia renders it less practicable to resort to him than to the Bishops of England and Ireland, and on the other hand those ordained by United States Bishops are incapacitated from doing duty in Upper Canada. An opportunity is thus given for the introduction of sectaries hostile to the British Constitution. Recognizes the duty of economy, but the most disabling effect would be to lose the opportunity of forming the minds of the people to British habits and principles. The state of poverty among the people after their emigration prevents them from supporting their Ministers. How Government could in the meanwhile support the Clergy by grants of land in the separate townships. This might induce the sons of respectable settlers to offer themselves for ordination. The good effect that the extension of the Protestant Clergy may have. 169

Report by Richard Cartwright, junr., on the Subject of Marriages and the State of the Church of England in Upper Canada. 174

November 17, Navy Hall. Simcoe to Hammond. Hopes he has received letters and enclosures containing result of the Indian Councils at the Miami, sent by the hand of Givens. Littlehales carries the speeches made by the Indians at Buffalo Creek, at which he was present to receive the message sent by the Western Indians to be transmitted to Congress. Desires to know his opinion what answer should be sent to the Indians, ancient allies and true friends, who say they will construe a refusal on his (Simcoe's) part to be present at Sandusky as an evidence that the British do not wish for peace. 205

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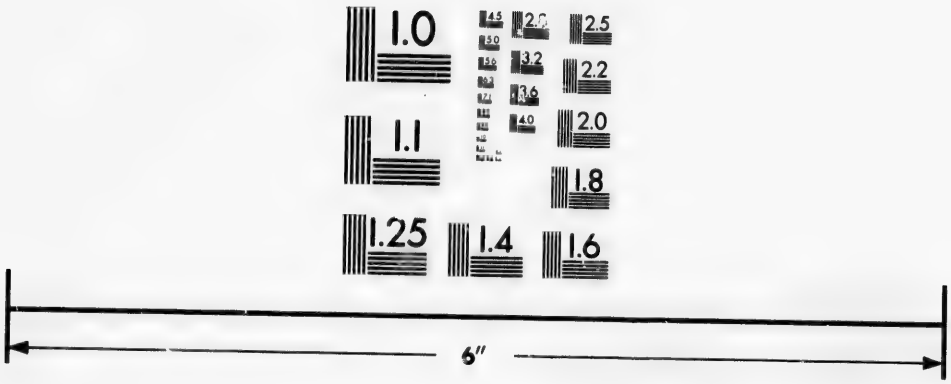

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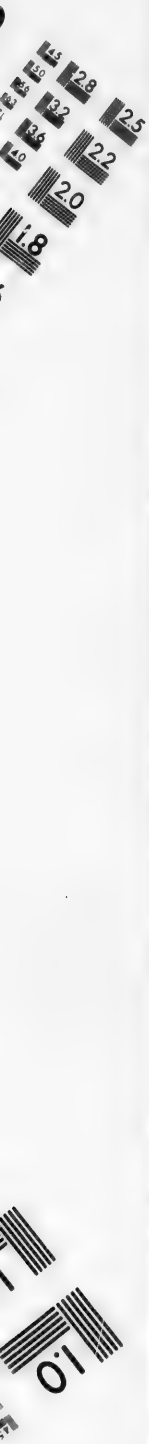
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(In Simcoe's No. 12 of 23rd November.)

November 23. Navy Hall. Simcoe to Dundas (No. 12). Had filled up the blank in the list sent of Executive and Legislative Councillors, with the name of James Baby. His character, &c.; he has taken his seat and been very serviceable in both Councils. Refers to his letter of 5th November for recommendation of a gentleman to fill the seat vacant by Robertson's resignation. (See 4th November, p. 9.) The difficulty of obtaining suitable men for the office for reasons given. The Chief Justice thinks there should be a quorum of the Council, no number being stated in the instructions. In respect to emigration, he had never advocated any encouragement should be given to people from the United States that could offend that Government, but as to people in general, submits that without a large population the Province cannot pay its own expenses for years, but with a rapid population it could support itself shortly. States his reasons and proposals at length. Has granted townships to those only who would bring settlers. The table of fees for the grants that has been adopted is that used in Nova Scotia. Refers to late letters on the subjects of religion and education. Sends report of the proceedings of the Six Nations at Buffalo Creek, confirming the decisions of the United Council of the Indians at the Miamis. Sends also copy of a letter to Hammond on the subject. Littlehales, who had been at the Council, had offered to carry the dispatches to Hammond; the offer accepted. Has seen no reason to alter the views he expressed before leaving England. Sends proposal of Holland, son of the Surveyor General, for exploring the North-West Country. Page 181

Proceedings of a council of the Six Nations, held at Buffalo Creek, on the 13th November. 191

November 29. Navy Hall. Simcoe to King. Transmits authentic copy of speech delivered at the prorogation of the Legislature. 217

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April 1. Navy Hall. Same to Dundas (?). Asks that among the presents for the Indians may be sent a few flags with the arms of Upper Canada. Sends and recommends an application from the Mohawk village for communion plate. Asks also for 200 silver medals with the arms of Upper Canada. 225

April 21. Navy Hall. Same to same (No. 14). Dispatches received. On receipt of word from Hammond that there would probably be a rupture between Great Britain and France, had sent Lieut. Talbot to Philadelphia to wait for European news. Had, however, before Talbot's return, received Lord Grenville's speech, leaving no doubt of war and from it anticipated the atrocious murder of the King of France. The most expeditious way to send communications. 228

April 24. Whitehall. Dundas to Simcoe. Letter sent by Powell. The favourable estimate of his character and conduct. 218

May 2. Whitehall. Same to same (No. 1). Dispatches received and laid before the King. Shall lose no time in carrying into execution such of his proposals as are reasonable. Agrees as to the utility of sending military artificers to Upper Canada. Is sending persons and utensils to work the salt springs. The naval department should be under the control of the Lieut. Governor and Deputy Quarter Master General. Wishes much to receive the plans of townships, and hopes that care has been taken in selecting the Church and Crown lands, in accordance with the late Act. Shaw to be appointed to succeed Robinson in the Council; it is not intended to increase the number of members. Instructions to McKee approved of. His (Simcoe's) going to Sandusky may be of benefit, unless anything should occur to render the visit injudicious. To state to Hammond, in such terms as to allow of it being communicated

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officially, the evils arising from the continuance of hostilities between the United States and the Indians. The appointment of a Bishop's See in Canada is in contemplation. Has no doubt the different branches of the Legislature will soon act in concert. The difficulty of fixing on subjects for taxation in a new Province like Upper Canada; sees no objection to a small county tax on land, not to extend to such as is uncultivated, nor until it has been cultivated for a certain number of years. The appointment of Baby approved of. Is inclined to comply with Holland's proposal to explore the North-West; when informed of the time fixed for the exploration will have apparatus forwarded. Page 219

May 27, Navy Hall. Simcoe to Dundas (No. 14 repeated). Had received dispatch ordering the publication of the declaration of war by France, and also copy of the King's speech to Parliament. Commissioners from the United States to restore peace with the American Indians are here, and have been told that the Indians cannot assemble by the 1st of June, so that the Commissioners will not as yet proceed to Lower Sandusky. The Legislature of the Province meets to-morrow. 230

June 17, Navy Hall. Same to same (No. 15). Dispatches received, with copy of a letter to Beckwith; any attempt on the part of the United States to force on a war will vary according as affairs in Europe are in favour of, or against Great Britain. Holds only one opinion as to the views of Washington and the aims of the leaders to support popular prejudice. It will be difficult to manage so as not to lose the affections of the Indians and yet so as not to give a pretext to the Government of the United States to begin hostilities in Canada which he is persuaded is in contemplation by their leaders. Is glad that Wayne has gone down the Ohio to Fort Washington. Will take post with the Queen's Rangers at Toronto (York). Had received letters respecting affairs in France. Sends *Gazette* with copy of speech at the opening of the session. The Commissioners from the United States are still at Navy Hall; they are probably only waiting the arrival of an express from Philadelphia to proceed to their destination. 232

Speech to the Legislature. 235

July 12, Whitehall. King to Simcoe. Sends report on bill to make good and valid certain marriages contracted in Upper Canada. 227

August 31, Whitehall. Dundas to same (No. 1). (Letter of 2nd May was also numbered 1). Dispatches received and laid before the King. His (Simcoe's) vigilance approved of. Nothing should be done in either of the Provinces of which advantage could be taken to influence public opinion against Britain. A war with Britain would be ruinous to the American States, so that he cannot persuade himself it is at all in the contemplation of their leaders. Sees with satisfaction the loyal attachment of the Legislature of Upper Canada to the King and constitution and its attention to the question of the Militia. It is a measure of internal preparation and defence. Is confident that he (Simcoe) will second the effort to render it an efficient and respectable force. 249

October 2, Whitehall. Same to Same (No. 2). In respect to requisitions brought by Stevenson, desires him (Simcoe), to apply to the Commander-in-Chief at Quebec, 1. For a supply of such artillery as can be spared. 2. For military artificers. Further in answer to the other parts of his letter:—3. Mr. McGill's appointment as commissary of military stores and provisions extends over both provinces, so that the division cannot affect it. 4. Mr. Small having long since been appointed clerk of the Executive Council, the request in favour of Littlehales is impracticable. 5. Refers to previous letter respecting a surveyor general. 6. It is proper to give encouragement to clergymen of good morals and sound principles. For the present they must look to tithes

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for their support. 7. Doubts the expediency of settling strangers at Detroit or at any other place concerning which there can be a doubt of its being within the boundary line. 8. There can be no doubt that the settlers at Detroit are subject to the laws of the province (of Upper Canada). 9. Nothing can be done respecting settlers who have turned out not to be *bona fide* loyalists. 10. His suggestion respecting Carleton Island will be considered, when a final settlement respecting the boundary is come to, but there should in the meantime be as few discussions on such points as possible. 11. The difficulties in the way of establishing a port for Upper Canada. How the export trade could be managed. If the settlement should extend westward, the natural vent for the produce would appear to be by the Mississippi. 12. The King and Parliament are the arbiter between the two provinces, now distinct and independent of each other. It is better to accept the arrangements cheerfully than to speculate on hasty or premature alterations. 13. His opinion respecting a custom house is included in that respecting a port. 14. No reason is given for the requisition of a military nature. Colonel Gordon of the 26th is his senior as well as Prince Edward. 15. The subject of a new boundary dealt with in former letter. 16. No ground for the opinions held by the settlers in Upper Canada was everintimated to them by Government. The observations which follow the statement have a strong tendency to hostilities with America, and rather meet than guard against the views of persons in the United States who may be desirous of involving the countries in war. His disapprobation of whatever has such a tendency. 17. The remarks respecting the navigation of the Mississippi suggest useful hints. 18. Had communicated his views to Dorchester; if the seamen are hired as soldiers they come under the Mutiny Bill. 19. It will be of advantage to favour the admission of the sons of Canadian clergy into the army. 20. To state to Lord Dorchester in what the mode of constructing vessels on the lakes is defective. He (Simcoe) should in this be assisted by a person well skilled in naval architecture, and mechanics; will recommend Captain Schank. 21. The naval articles of war and military regulations for provincial forces should be made by the Provincial Legislatures. 22. To give every reasonable encouragement to the Quakers, but to exempt them from taxation would create discontent in other settlers. The affirmation of a Quaker to receive a liberal construction; doubts if even by this a Quaker could take the obligation for the Legislative Council, as it requires him to "defend His Majesty to the utmost of his power against all traitorous "attempts," etc., that is by personal service and by force, which is contrary to the principles of his persuasion. 23. With respect to Indians, a pricipal object of settling the boundaries between Canada and the United States was to guard against any sale by the Indians, so that no part of the space to be between the two countries should ever be occupied, or come into the possession of either. 24. To apply to Lord Dorchester for the appointment of a Deputy Quarter Master General, which appears to be highly necessary in Upper Canada. Page 251

Captain Stevenson's suggestions, categorically answered in the preceding letter. Copy of the suggestions sent to Simcoe with the letter. 264

LIEUT.-GOV. SIMCOE AND MISCELLANEOUS—1792-1793.

Q. 279—2.

1793. August 4. Portsmouth.

Answers by Lord Dorchester to requisitions for Upper Canada, submitted to Dundas. (See Q. 279—1 p. 264.) Page 276

August 22. York.

Simcoe to King. (The letter is dated "York (late Toronto) Upper Canada.") Had received copies of His Majesty's Message to Parliament, and letter with the vote of the House of Commons for £6,700 for the civil establishment of Upper Canada, with estimates on which the vote was founded. Is surprised that there are difficulties in settling the fees for land patents in the Province. On the erection of New Brunswick the fees for Nova Scotia were adopted; has asked Wentworth to send the table to Dundas, that he (Simcoe) may be authorized to charge the same, unless they are considered to be inapplicable to Upper Canada. The Loyalists are promised their lands without fees, but the officers who find the materials for the title should be paid for the paper or parchment. All other patentees of land should pay fees. Dorchester and Haldimand refused theirs; he (Simcoe) is of a different opinion. Desires an immediate decision as Hamilton boasts he could carry a bill to exempt all holders of land from fees. 280

August 22. Fort of the Rapids.

McKee to Simcoe. Hopes of a peace between the Indians and the United States disappointed, the commissioners having withdrawn on the positive demand of the Ohio for the boundary. Difference of opinion between the Six Nations and the other Indians as to the boundary. His unsuccessful efforts to bring about an agreement. Talbot who carries this letter can give particulars of the course taken by the commissioners with the Indians, before the conference. The acknowledgement of the United States that the Indians possess the soil has convinced them of the falsehoods propagated that Great Britain had given away their country at the treaty of peace. Those nations which have not sold their property can now enjoy it in peace, and it will form a barrier between Great Britain and the United States. Although he has used no improper influence to prevent a peace, yet he expects to be blamed by the malevolent for the opinions expressed by the Indians. 540

(In Simcoe's No. 18 of 20th September.)

August 23. York.

Simcoe to Dundas, (No. 16). Dispatches received. News received of the successes of Europe against the agression of the French. Is happy to find that measures for the welfare of the Province are to be taken into consideration. The saving to the State from Military Artificers will appear on the slightest investigation. Hopes the Salt Springs will enable the country to cure its own provisions, and that Dorchester will place the naval department under his (Simcoe's) control. Plans prepared by the Surveyor General will be transmitted. Captain Shaw has been informed of his appointment to the Executive Council. The resident quorum for the Council might be increased by the temporary suppression of the Solicitor General's office and the application of the salary to the increase of the Council. Hammond has no doubt reported the state of Indian affairs and that the United States had declined the request of the Indian Confederacy that the King's officers might mediate at the treaty to be held at Sandusky. Has co-operated with Hammond. Is sorry to learn that there is not likely to be an accommodation between the contending parties. The pleasure he will have should a Protestant Bishop of the Church of England be established in Upper Canada. Sends addresses of both Houses of the Legislature; has not yet received an authentic copy of the Acts passed, owing to the absence on circuit of the Chief Justice and Attorney General. Shall send them

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with remarks. Shall inform Holland of the approval of his proposal to explore the North-West. The survey of the communication between Lakes Ontario and Sinclair (St. Clair) is completed. The surveyor on Lake Erie has discovered an admirable harbour near the very place he (Simcoe) wished it, Long Point opposite Presqu' Isle. Intends on the 1st of September to cross to Lake Huron and hopes to send such plans as will enable a judgment to be formed on the propriety of altering the present military arrangements. Has determined to hut the Queen's Rangers and to remain with them for the winter at this place. Its advantages; shall expatiate on them and send plans for permanent barracks and fortifications, which may be increased if necessary. Niagara and Detroit are untenable. Lieutenant Crawford is the bearer of the dispatches. Page 283

The address of the Legislative Council referred to. 290

The address of the House of Assembly referred to. 293

Canada *Gazette* of 11th July, contains account of the arrival at Fort Erie of H. M. Snow, "Chippewa" from the Miamis, with 50 Indian Chiefs, as a deputation to the Commissioners of the United States, detained at Fort Erie by contrary winds. The Indians then came to Niagara and held three councils in presence of the Governor, the Commissioners, officers of the garrison, &c. The Commissioners received a belt of wampum to proceed to the place of meeting at Sandusky (p. 295). Meeting of Council and Assembly (p. 296). Prorogation of Assembly on 9th July (p. 296). Arrival of H. M. S. "Missisague" on the 9th with near 300 Indians of the Seven Nations of Canada on their way to attend the Grand Council at Sandusky (p. 298). 295 to 298

August 24, York.

Simcoe to Dundas. Sends address, petitions and remonstrances of the gentlemen of the House of Assembly, in their individual capacity, against the contract for the supply of the garrisons with flour. The members had been solicited by their constituents to lay this request before the King, their alarm at further power being thrown into the hand of monopolists being universal. The members were convinced that it would be improper to interfere in their collective capacity, and the petition is sent as signed. Encloses papers relating to the petition. Had investigated the mode of receiving provisions into the King's stores. The unsatisfactory system at Kingston; that at Detroit met his wishes, but the new contract there has given great dissatisfaction. The agents at Kingston and Niagara mean to take full advantage of its terms; those at Detroit are inclined to follow the good example of Reynolds. Encloses a report from McGill, Commissary, prepared before he (Simcoe) was aware of the present contract and another after the memorial signed by the members of Assembly had been received. Is of opinion that McGill, were his travelling expenses allowed, might either as the King's servant, or as agent for the contractors, superintend the whole business and thus remove the discontent in the Province, whose staple must be flour, as he will show when the report on the circumstances of the Province is prepared at the end of the year. 299

Enclosed documents relative to the contract for flour referred to in preceding letter. Memorial from inhabitants of Upper Canada (p. 304); Memorial of the merchants of Kingston (p. 306); Report by John Craigie, Commissary General, on the same (p. 309); Extract from letter of Askin at Detroit (p. 315); Advertisement by John Askin and David Robertson, Detroit, for flour and pease (p. 316); Letter from McGill on the contract system (p. 317). 304 to 317

McGill's opinion. 337 to 347

August 24, York.

Simcoe to Hammond. His fears that no peace would be settled between the United States and the Indians have been realized. Another

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deputation of the latter sent to ascertain the authority the Commissioners hold to settle on the Ohio as the boundary. The disastrous results to the fur trade of the continued hostilities. Elaborate statement of the temper and disposition of the Indians, and of the transactions between them and the United States since the peace of 1783. The probable result of a further victory by the Indians or of their defeat, and the question as to the course to be followed in either case. His regret that the United States did not accede to the wishes of the Indians for mediation by the King. Page 525

(In Simcoe's No. 18, of 20th September.)

September 2, Niagara. Brant to Simcoe. The business to the westward did not end in a peace as was wished for. Is apprehensive of the consequences of want of unanimity among the Indians. Is still in hopes of an honourable peace and that the boundary may be fixed to the satisfaction of the Indians. The Western Nations are for Sir William Johnson's line, the Six Nations and Lake Indians for the Muskingum. A treaty is to be held at Buffalo Creek as soon as the Indians arrive; has not time to consult with His Excellency. 520

(In Simcoe's No. 18 of 20th September.)

September 6, Niagara. Pilkington to Simcoe. For present purposes of defence for the harbour of York and to serve as a storehouse, he recommends a square blockhouse, of which dimensions and other details are given. 522

(In Simcoe's No. 18 of 20th September.)

September 16, York. Simcoe to Dundas (No. 17). Sends general plan for the arrangement of townships, which the Council have directed to be carried into execution. The exceptions to the plan are principally in the grants settled previous to the establishment of the Government of Upper Canada. To lessen expense the Council adopted plan No. 2 for townships previously surveyed on the borders of Lake Ontario. Another exception was made for military reservations. The plan described. The Council also deviate from the general plan to assist the settlement at Toronto or York. The whole of the broken fronts reserved for garrison purposes and to prevent the scattering of the inhabitants; how the reserves are made in the back lands. Reserves of timber made near the harbour, so as to furnish material for the fortresses on the lakes. The reserves in Lower Canada being made in large masses, some persons petitioned for the same system in Upper Canada, but the Council did not think it expedient. 331

Two plans or diagrams showing the manner of laying out townships. 334*a*–334*b*

September 16, York. Simcoe to Dundas (No. 17, repeated). Sends copy of the Acts passed last session. There appears to be no disposition on the part of either House to oppose the measures of Government; the only debates have been on detached clauses. The general cry for the Marriage Bill. The disposition of the Assembly to make Matrimony a much less solemn or guarded contract than good policy will justify. The greatest resistance was to the Slave Bill, many plausible arguments being brought forward in respect to the dearness of labour and the difficulty of obtaining servants. Some possessing Negroes, knowing that it was questionable if any subsisting law authorized slavery, wished to reject the bill entirely, others wished to supply themselves by giving leave to import for two years. A compromise effected by securing the property (slaves) already held, but putting an immediate stop to importation and the gradual abolition of slavery. The desire to have certain parish and town officers, —fence viewers &c.,—elected by the inhabitants, instead of being appointed by the Magistrates. A bill to impose a duty on imported spirits passed the Assembly, but was rejected in the Council; reasons for its being proposed and rejected. A conference to be held with repre-

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sentatives from Lower Canada to arrange about these duties. The object of the fund to be derived from duty on spirits was to supply gaols, bridges and other public works, to satisfy county wants and leave enough for the wages of the members. For this purpose the bill was brought in a second time, but a plan of district assessments was substituted and that the wages of the members of the Assembly should be paid by the constituents of those who chose to demand payment, the amount to be raised by a particular rate upon the plan of the district assessments. The plan has already caused disgust, and will probably lead to offers of unrewarded services from candidates at the next election. The House has complimented the Executive Magistrate with the nomination for seven years of the returning officer. No adverse party has yet formed itself; suspects that it may sooner take place in the Upper than in the Lower House. Recommends Captain Shaw to the vacant seat in the Legislative Council. Although there has been no direct opposition, there has been no direct support to Government measures. It is proper at present to avoid using the negative of the Crown, but there is great probability that the Legislative Council is more likely to promote than suppress any attempt demanding the exertion of the prerogative. The merchants obnoxious to the settlers, yet by having contracts for supplying the troops they have great influence, which there is nothing to prevent them from exercising to the detriment of Government, if there is an object to be gained. These are reasons for urging the appointment of Shaw. Encloses a resolution of the House of Assembly, requesting Government for the loan of a specified sum to pay their officers. Page 335, 349

Journal of the Legislative Council from 31st May to 9th July. 357

Journal of Assembly for the same period. 422

Concurrence of the Executive Council in the request for a loan. 483

September 20, York. Simcoe to Dundas (private). The importance of temporary establishments in the Province giving place to those of a more permanent character. The general apprehension of hostilities by the Indians or from the United States. The poor and dispirited state of too many of the population. No recruits can be raised owing to the high wages. Shares the opinion of the Chief Justice that Shaw should be in the Council. Among the plans sent is one of this harbour (Toronto) to be presented to His Majesty. It has been named York in honour of the victory of the Duke of York. 486

September 20, York. Same to same (No. 18.) Sends an actual survey of the Thames, so far as it serves to communicate between Lakes Ontario and St. Clair and the military road now opening by the Queen's Rangers. The tract of land is one of the finest in North America. Sends survey of Long Point on Lake Erie; its situation for a fortified post and naval arsenal for Lake Erie, also one of the harbour of York, the proper naval arsenal of Lake Ontario. Has information of a harbour three miles southward of Matchedash Bay and of a river a few miles beyond it, affording, the Indians say, communication with La Tranche, or the Thames. Considerations respecting the system of settlement and of making Upper Canada a naval power on the lakes. The unfitness of Kingston for a naval station; proposes that that should be established at York; its advantages. Proposes an establishment at Long Point to counteract the one to be held by the United States at Presqu 'Isle. A harbour could be constructed on the island near it. How naval artificers could be moved and where ships could be built. Still believes that the seat of Government should be in the internal part of the country; sooner or later a further division of the Canadas might be made, and Montreal become the centre of an intermediate government. Proposes London as the seat of Government for Upper Canada; has marked out a place to be called Oxford, likely to

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become a town, and another likely to become the capital of the Lower District, called Chatham. Estimated distances of various points. Concerning the Indian grant and the terms of the deeds authorized by Haldimand as interpreted by Dorchester. The rejection by the Indians, at the instigation of Brant, of the terms of the deed, that they were neither to sell nor let the lands allotted to them. The alternative propositions. Considerations as to the management of Indian affairs; Butler's influence and that of McKee. How expenditures can be checked and lessened. The important effect the proper management of the Indians might have on the North-West trade. Reverts to the proposed fortifying and settlement of Long Point, as affecting the movements of the Indians. The settlers should be determined loyalists such as those from Pennsylvania and Maryland, who at the end of the war were associated to support the cause of the King, and who had sent an agent to ascertain what arrangements could be made for their removal to the Province. A strong settlement there would effectually separate the Mohawks on the Grand River from the other Indians. How the establishment of the capital at London would influence settlement and control the Indians. Cannot, however, venture to occupy the capital without a sufficient force, which he thinks could be now supplied from the late authorized increase to the army; the question of military defence. Had removed the Queen's Rangers from Niagara to York on the news of the rupture with France. His proposals for fortifying York harbour delayed, waiting the arrival of Dorchester. The lateness of the season prevented him from building storehouses, which he intended should be so built as to be useful in the defence of the harbour. Asks leave to do the same at Long Point; other places suitable for posts. How he had provided accommodation last winter for the Queen's Rangers; had fitted up the barracks and storehouses to contain the offices of Government and accommodate the Legislature. How the expenses were met; those for the harbour of York he will take on himself, and has desired Pilkington to make an estimate of the total amount required. The stores received have been scattered in any buildings that could be obtained in Kingston and Niagara. Trusts that the completion of the regiments to their full strength will enable him next spring to proceed with the work of laying a foundation for a solid support for the wealth, &c., of Great Britain. What may follow a contrary decision. The Chippewas, Pottawotamies and Ottawas, he is informed, have left the Indian Confederacy; the measures rendered necessary by this step. Page 488

September 28, York. Simcoe to King (?) The letter to be delivered by Captain Lawes, who is acting as assistant engineer. The bad quality of the axes sent; thinks fifty as few as are required by the Queen's Rangers; unless of prime quality, axes must be bought here; sends a model. Requires machinery, &c., for the saw-mills. The "Scipio" only brought the saws; the iron work on an old mill was used with difficulty to provide for one saw, instead of a gang of saws. The importance of saw-mills. Requires paint for the boats. 325

Requisition for axes, for mill machinery, paint for boats and machinery for rope making. 328

Memorandum respecting the making of axes. 329

LIEUT.-GOV. SIMCOE AND MISCELLANEOUS—1794.

Q. 280—1.

1793. March 5, Detroit. M. Elliott to Simcoe. He declares and will make oath that in 1775, John Gibson, of Virginia, had proposed to employ him to raise Indians to be sent to the American camps to fight against the British army, Gibson having a commission from the Assembly of Virginia. He (Elliot) had refused, as he was then on the way to Detroit. It was at the time Lord Dunmore had to seek shelter on board one of His Majesty's ships of war. Page 230

(In Simcoe's, No. 26, of 3rd July, 1794).

July 31, Miami River. Extract from the Commissioners of the United States to the deputies of the Confederate Indians. 209

(In Simcoe's, No. 26, of 3rd July, 1794).

October 19, York. Simcoe to Dundas (No. 19). Has returned from exploring towards Lake Huron. Has found a route hitherto unknown, but to some Indian hunters, between York and the waters flowing into Lake Huron. The route described to Matchedash Bay. Had partially examined Penetanguishene Bay, but was prevented by a gale of wind from completing the examination; its capabilities. Has ordered a precise survey to be made of the different routes. The military and commercial advantages of the new route by Lake Huron to Lake Superior, &c. Merchants are already buying lots in York in anticipation of the opening of this route. His view of the importance of the isthmus between Lakes Ontario, Erie and Huron, strengthened by personal investigation. Asks orders whether he is to occupy them to their utmost extent or remain as at present. The immediate occupation of London, &c., for the public benefit; the remaining at York a convenience to the officers of Government. Hopes that the control of the Indian, Commissariat and shipping Departments may be exercised only through the channel of the Lieut. Governor. 1

Plan. 6a

October 30, York. Simcoe to Dundas. The good services of Lieut. Givens. His escape from the attack of a drunken Indian. His usefulness in the late exploration owing to his knowledge of the Indian language. Recommends him for employment. 7

November 10, York. Same to same. His conversation with Brant and Butler concerning the demands made in the late attempted treaty for a boundary between the Indians and the United States. Brant's groundless complaints against McKee. Brant's personal views as to the boundary to be demanded. The critical state of the Six Nations in relation to peace or war with the United States. The equivocal conduct of Brant, with the proposed view of driving Great Britain into war, in which he asserts she ought to assist the Indians. Reiterates his former views respecting the establishment of the Province. 9

November 10, York. Same to King. Has received Act to prevent traitorous correspondence; Gazettes with report of victory in Flanders and of the capture of Tobago; a letter with two Acts passed last Session, and the Bill to make good and valid, marriages contracted in the Province, with opinions of the law officers. 14

December 2, York. Same to Dorchester. Letter of 7th October received. Is pleased that his answer to Ogden was considered proper. Shall report on the Genesee country. Sends journal of Littlehales of his route through that country to Philadelphia. Asks that it be returned. The sickness there has prevented emigration through it to Upper Canada. The reasons of the desire to come to the Province. The dread of the Indians on the part of the settlers has no doubt had its effect on the action of the United

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States' Government towards attempting to conciliate the Six Nations. The report from Philadelphia that Morris, Ogden, &c., were to have the lands at Presqu' Isle. Pulteney's agent, Bertzie (Berczy), in gaol. It is probable the German settlers will emigrate (from the Genesee) to Upper Canada. It is reported that the inhabitants of the Genesee are to present a petition to New York to be erected into a new and independent State, Livingston being at the head of the movement, and that in case of failure these people have determined to place themselves under the protection of Great Britain. The State of Connecticut is about to sell the pre-emption right to the strip of land on Lake Erie belonging to it. The settlements on the north side of the lakes will not probably be great till the following summer, owing to the distance most of the settlers have to bring their families. The settlement of York, whether it becomes the capital or not, will be attended with no difficulty, nor dependent on either chain of settlements from the Bay of Quinté. The soil between it and Lake Aux Claies (now Simcoe) is perfectly calculated for farming, and before summer the road of communication will be thickly settled. There is no doubt the North-West Company will by this communication supply themselves with heavy articles instead of by Lake Erie. Other advantages described. York to be laid out on the personal inspection of the Council; the whole shore from the Humber (St. John's Creek) has been reserved for the Crown, including every spot fit for batteries, not only with that view but to confine the inhabitants to the most eligible situations for trade. The military reserves have not, however, been marked by Collins on any of the plans. Aitkin, who carries this, can give any information. Is sorry that His Lordship does not approve of fortifications at this defensible and important spot (York), for reasons given in detail. The advantage of an alternative route between York and Matchedash Bay, which he has carefully explored. His ideas on the organization of the militia and where these troops could be assembled in camp. Objects to the removal of troops from the Province. It is only for the want of means that fortifying a post on the Thames should be postponed, which is of more importance than garrisoning Detroit; believes that the regiment there should be removed, except one company, to Chatham and London. The garrison at Niagara should also be reduced and the troops placed in the more useful stations of Long Point and York, especially as the proximity of the United States encourages desertion. Points out the danger from the withdrawal of the troops.

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D cember 15, N gara.

Simcoe to Dundas (No. 20). Transmits the first communication he has had from Lord Dorchester with the answer. His Lordship's opinions entirely opposed to his (Simcoe's), either as a civil or military servant of His Majesty. Feels the immoral conduct of encouraging settlers and loyalists to come to the Province, who may be utterly abandoned by the withdrawal of the King's forces supposed to be stationed for its protection. Nothing but the pure principle of doing his utmost for the King's service would for a moment make him wish to remain in a situation where he considers himself liable to become the instrument of the most flagitious breach of national honour and public faith, without any military necessity. The principle on which His Lordship desires attention paid to the militia would expose them to the horrors of an Indian warfare, or to instantaneous submission upon the approach of an enemy. Had, therefore, not communicated the nature of Dorchester's letter to the militia, nor laid it before the Council, which he would otherwise have done, to consult with them as to the fortifying of York or the cheap system of defence for which he was making preparation. Should the Queen's Rangers be withdrawn he would have no military

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rank or authority. Had written on this subject, that his own character as a public servant might be justified. The necessity of giving control of the Indian Department to the Executive Government is every hour impressed on his mind. Page 31

(For enclosure, Dorchester's letter of 7th October, 1793. *See* Q 66, p. 233.)

1794. January 14, Grenville. Major General Anthony Wayne to the Chiefs and Warriors of the Delawares, Shawanese and Miami Nations. 84

(In Simcoe's No. 21 of 28th February.)

January 20, Quebec. Samuel Holland to Simcoe. Encloses his son's plan of operations for exploring the North-West Coast. He cordially agrees to his (Simcoe's) desire that Aitkin shall go as assistant. Is desirous that his (Holland's) second son should be the other assistant, if he can obtain leave from his regiment, the 44th. His son has only touched on the general heads of the expedition, reserving details for a personal interview. Nothing has been done respecting the table of fees, though Dundas recommends those adopted in Nova Scotia in 1764, considerably lower than those now established there, and if adopted would cause the land to fall into the hands of men of desperate fortunes and land jobbers, who would keep it uncultivated. The fees should be so high as to exclude this class of speculators. Will forward theodolite wanted. Aitkin has applied fo instruction to Hugh Macdonell to run the line between the Provinces. Has not yet received orders on the subject from Dorchester. 125

(In Simcoe's letter to King of 7th March.)

January 20, Quebec. Plan transmitted by Holland of the composition of the party, &c., for exploring the interior of the North-West. 129

Plan in greater detail, signed by J. F. Holland. 132

January 24, Foot of the Rapids. McKee to England. The reports respecting the Indians circulated at Detroit turn out to be without foundation, except that at Christmas or New Year's Day, some Munseys had importuned a trader for a bottle of rum, which they got on promise of payment. They do not appear to have changed their conduct since he was last there. 82

(In Simcoe's No. 21 of 28th February.)

January 28, Foot of the Rapids. Same to same. The Delawares and Wilson returned from the forts, bringing a speech from Wayne to the Indians, of which he sends a copy. It does not appear that any of the other Indians were concerned in sending the message, and thinks that even the Delawares were prevailed on by sinister means to open a communication. In consequence of the speech a council of chiefs will be held in two or three days. 83

(In Simcoe's No. 21 of 28th February.)

February 2, Detroit. Lt. Col. England to Simcoe. On the 8th January had received reports that the Delawares were negotiating for peace with the United States, and that four deputies had set off for that purpose to Fort Jefferson. This and reports of depredations by Indians having alarmed the traders, induced him to send McKee to the foot of the rapids to restore security and obtain information as to the negotiations for peace. Sends copies of two letters from McKee, the last having copy of an address from Wayne to the Indians supposed to be hostile. It will be seen by Wayne's address that he had built a fort where the action was fought on the 4th of November, 1791, and called it Fort Recovery, and has established a new post, which he calls Grenville. 80

(In Simcoe's No. 21 of 28th February.)

February 7 to 9, Buffalo Creek. Proceedings of a Council held at Buffalo Creek by the Chiefs of the Mohawks, Cayugas, Onondagos, Senecas, Tuscaroras, Oneidas, Delawares, &c., in presence of Brigade Major Littlehales, Captain Bunbury, and officers of the Indian Department, and (for the United States) of General Chapin, Mr. Parish, interpreter, and Mr. Cult. 88

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(In Simcoe's No. 21 of 28th February.)

February 17, Buffalo Creek. Proceedings of a Council of the Six Nations. Page 213

(In Simcoe's No. 26 of 3rd July, 1794.)

February 23, York. Simcoe to Dundas. Thinks it his duty to state such military observations as have been the result of his serious attention. Does not wish the report to be considered public, but has no objection to its becoming so should it be considered expedient, as he is prepared to elucidate and support it. 54

February 25, York. Same to same. Observations on the military preparations necessary for the defence and security of Upper Canada, and in opposition to Dorchester's proposal to remove the troops from that Province. 55

February 28, York. Plan of Fort at d'Eschambault made by order of General Murray in 1761, enclosed. 74a

Simcoe to Dundas (No. 21.) His gratitude for the approval of his conduct; the interest of the King and the public service his ruling principle. On the arrival of the last letter from him (Dundas) Littlehales, who had been delayed, was proceeding to Hammond, in the very spirit of the instructions in that letter, to obviate the ill effects of Governor Clinton's speech to the Legislature of New York. Wishes that the Indian papers had been more favourable; how Detroit could, without actual hostilities, be cut off by the United States from intercourse with the Indian Nations, preparatory to these people turning hostile. The Shawanese will probably quit the country. The general expression in the United States of the determination to seize the posts; circumstances in Europe may check or augment this inclination. Is pleased to learn of a considerable armament being sent to the West Indies; this may have an influence on the maritime inhabitants of the United States, but they do not govern its Councils, the general opinion being that in one winter they could overcome Canada. Lord Dorchester does not approve of fortifying to defend this (York) harbour at present, but does not send his reasons. He (Simcoe) remains convinced of its propriety in every view, civil or military. The propriety of attention to the militia. The United States are arming them at the public expense. Lord Dorchester's orders for public mourning for the Queen of France is the first announcement of her death. 75

February 28, York.

Same to same. His astonishment and anxiety on receiving letter containing Stevenson's suggestions made in his (Simcoe's) name. Had given Stevenson no authority to use his name in so improper a manner. When he had entrusted Stevenson with dispatches, he said in the letter that he was capable of giving any information that might be required. Had he (Simcoe) desired to send suggestions he would have done so respectfully in writing. But as Stevenson was in his confidence, and an active officer, he would take the liberty of making remarks on the suggestions and answers, arranged as he (Dundas) had made his answers. The impressions of his character made by these suggestions as that of a hasty, inconsiderate person, scarcely endowed with common sense. Trusts these impressions may be erased. 106

Remarks referred to. 109

March 2, York.

(See Dundas, No. 2, of 2nd October, 1793, in Q. 279—1, p. 264.)

Simcoe to Dundas. Report brought by a Delaware chief, sent by Brant from Detroit, that a deputation from the hostile Western Indians had gone Wayne to make peace. This he thinks will produce the most important to effects. The Six Nation Cofederacy, it is probable, will be as submissive as the Western Indians to such terms as Wayne shall dictate, which will no doubt be specious and apparently liberal. Should the Southern Indians continue to defend their country, that being the only object to attend to, there will probably be a speedy termination of the difficulties in that quarter. Hopes that affairs in Europe will enable him to make

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his proposed establishments on the Thames and Lake Erie. Calls attention to the significance of the name "Father" as applied to Washington by Knox in the message to the Six Nations and Chippewas, who reside to the north of the Thames, and the proposition of Washington to the Legislature to supply the Indians with markets at the expense of the public. The only plan he (Simcoe) can devise to form a union with the Indians is to place the Capital at London, so as to prevent them from being turned against the British colonies. The great means to preserve the Indians would be to bestow on them the King's bounty with every possible ceremony at the Capital. His opinion on the subject will be more particularly expressed in a report he is preparing for the Lords of Trade. Page 118

March 7, York.

Simcoe to King. Sends demand for stationery. Transmits Holland's proposals for exploring the passage overland to Nootka. 122

Requisition for stationery signed by D. W. Smith, Acting Surveyor General, countersigned by Simcoe. 123

March 16, Whitehall.

Dundas to Simcoe (No. 3). Dispatches received and laid before the King. The Marriage Act approved of under the circumstances; the opinions of the law officers will enable him to make the necessary amendments next Session. How the different Acts, when passed, should be signed by the Speaker and Governor. Is sorry to observe any tendency on the part of the members of the Legislature to oppose Government in matters so evidently beneficial to the Province, but allowance must be made for the novelty of the duties, and for the light the members must view things as not local, but connected with the welfare of the Provnce at large, a mode of viewing things naturally repugnant to the first impressions in their minds. The receipt of wages from their constituents would tend to continue this and to keep up a narrow and contracted policy. Shaw's appointment to the vacant seat in the Council confirmed. Remarks on the arrangement of the Church and Crown reserves. It was intended to have made these reserves in large masses in Lower Canada, but that plan has been set aside. Has received the charts of the Thames, &c. His exertions in exploring the country are very satisfactory. The importance of the Lake Marine for the defence of Upper Canada; agrees that York is the proper place for a Naval station. Also agrees that the site for London, the future Capital, is well chosen, but on the ground of defence, the settlement of York must be first attended to. Long Point, as a station on Lake Erie, should be next attended to, but if, as represented, it is unhealthy, its advantages would be rendered nugatory; perhaps some other harbour to the east or west may be discovered, to which this objection could not apply; the work should be done at as small an expense as to fit the place for the reception of shipping, and in such manner as Lord Dorchester shall approve of. These stations and the naval force under Schank would place the Province beyond the fear of interruptions. In the meantime, His Majesty's ships on the Lakes are to be kept fit for service. If to the forces for the posts be added the occupation of London, a greater force would be required than can be spared at this moment. It would be well to provide that in case of actual hostilities the Militia should be liable to serve on the lakes as well as on shore; they would be of great service in manning the gun-boats of the Province. The importance of having the Indian presents distributed with economy and effect; the plan suggested by him (Simcoe), and recommended by Sir John Johnson, approved of. Respecting the communication between York and Lake Huron; the importance of having settled such parts as are convenient for stages for traders and magazines for merchandise on the passage. The amount of bounty may secure recruits in Canada, so that London may be occupied, this communication increasing its importance. Is sorry that the Lake Indians have left the

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Confederacy; the more than suspicious conduct of Brant. Report of the Indians having cut to pieces Wayne's rear guard of nearly 200 men, with the loss of only one man killed on their part; 70 loaded horses taken. Should Wayne's campaign be unsuccessful, hopes that the Americans will open their eyes to the advantage of a final treaty. The Muskingum boundary, or any which will leave a sufficient interval between the Provinces and the American States, is the object to be aimed at. Refers to previous letters on the subject of the Commissariat, the Indian Department, &c. Dorchestsr is instructed by this mail to raise for defence two battalions of 750 men each. These, when completed, should enable him to occupy the site fixed upon for London, and in the meantime he may take preparatory steps for that purpose. Page 16

March 16. Whitehall. Dundas to Simcoe (No. 4). Dispatches received and laid before the King. Had written to Lord Dorchester approving of his (Simcoe's) friendly and impartial conduct towards the Commissioners from the United States and the Indians and had given his opinion, of the importance of a naval system of defence for Upper Canada. Letter of the 24th of August transmitted to the Treasury. Has no doubt the Commissary General at Quebec will be directed by Lord Dorchester to supply Upper Canada with what will be for the benefit of the Province. 28

March 17. Whitehall. King to same. Chief Justice Powell must have misconceived what was told him about the table of fees; it was to be made out in the Province and submitted to Dundas for His Majesty's consideration. His (Simcoe's) idea about the adoption of the scale of fees for Nova Scotia is likely, with a few alterations, to be that approved of. 30

May 11. Whitehall. Dundas to same (No. 5). His dispatch with correspondence with Dorchester laid before the King; the importance of the information respecting the Province under his (Simcoe's) command. The idea that the French armament was for the St. Lawrence, and the bickerings on the Canadian frontiers, seem to have suggested to Lord Dorchester that it might be necessary to alter the present situation of the forces in the Canadas. The raising of two battalions, and the recruits which the increased bounty should add to the regiments, will prevent the removal of the force from Upper Canada, and obviate difficulties in occupying York, Long Point, or some other situation on Lake Erie; but any measures of defence cannot render the prudent conduct of His Majesty's servants less important. Refers to previous letter respecting the Indian presents, &c. 51

June 14. Niagara. Simcoe to Dundas (No. 23). Sends copy of the *Gazette* of Upper Canada, containing his speech to the Legislature. In this he had anticipated a principal point in the last dispatch, that relating to the militia. There will, he believes, be no opposition to the measure; indeed, there is none, except on the part of Mr. Cartwright, to the general measures of Government, who has given notice that he will oppose the principle of a Bill for the constitution of the Supreme Court of Justice. Will in a few days send by Captain Talbot an answer to the dispatch; recommends Captain Fitzgerald, who carries this letter, &c. 146

Gazette, dated 5th June, containing speech, addresses and certain portions of the proceedings of the Legislature, which met on the 2nd of June. 148

June 15. Navy Hall. Simcoe to Dorchester. Sends *Gazette* with his speech; his recommendations respecting the militia and commissariat. The loyal spirit of the Assembly. 174

(In Simcoe's No. 25 of 20th June.)

June 20. Navy Hall. Same to Dundas. Sends, with recommendation, copy of memorial from Captain Shank to Amherst. His services. The composition of the Queen's Rangers; the corps has not an adequate number of subalterns,

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or possibly of field officers. In case of an augmentation, gives the names of some of the officers entitled to promotion. The inadequacy of the pay. Page 164

Memorial by Shank, for promotion to the rank of Major, stating his services. 167

June 20, Navy Hall. Simcoe to Dundas (No. 25). Sends copy of letter to Dorchester, which explains his views of the control to be exercised over the commissariat. Instances of the necessity of the control are: The supply asked for by the United States agents to supply the Indians, at the risk of alienating them; the conduct of Desjardins, agent for the French refugees, who applied for flour to establish settlements near Oswego, in contravention of the King's interest; the case of Williamson at Sodus, near Oswego, who sent to the Bay of Quinté for flour, but who expressed the most hostile sentiments towards the Province. The proper way to check improper exportation. The advantage of purchasing flour, &c., direct from the farmers in Upper Canada, which the Commissary General, living at Quebec, is not in a position to do with advantage, or to know how to proceed. 169

June 20, Navy Hall. Same to King. Has received letter clearing up Chief Justice Powell's mistake about the table of fees. Introduces and recommends Captain Talbot. Regrets loss of Chief Justice Osgoode. Hopes he will be replaced by an English lawyer. 176

(Chief Justice Osgoode was removed to Lower Canada.)

June 21, Navy Hall. Simcoe to Dundas (No. 24). Dispatch No. 3 received. Repeats his regret at the loss of Osgoode. How the front lots were laid out in York. His comfort and satisfaction at the approbation of the Ministry for the information he has sent respecting the geography, &c., of the country. His efforts to get the inhabitants to look to the lakes for wealth and defence, of which he regards gunboats as the primary means. Considers Toronto or York a real and defensible harbour, and wishes for a citadel, which could be increased and rendered impregnable; how he proposed the first small expenditure should be borne. The advantage of Long Point and Matchedash Bay. The comparative healthiness or unhealthiness of various places in the Province; reports probably coloured to suit the plans of land jobbers. The system he proposes for settlement and for the erection of towns. The difference of opinion between him and Dorchester on the selection of a harbour in Lake Ontario, and on extending the posts. Respecting the Indian Departments and defalcations on the part of the officer in charge of the stores at Niagara. The bad effects on the Indians in every respect, especially in view of their capricious character. The impossibility of managing them from Quebec, leads him to urge the appointment of McKee to a seat in the Executive Council and president of a committee superintending on the spot, the general policy of the Indian nations. Will encourage settling the communication between Lake Huron and York Harbour. Did not expect from the state of affairs in Europe that the troops in Canada could be recruited from there. Sends proceedings of the Indian council at Buffalo Creek. The conduct of Brant in spreading a report of the certainty of Great Britain being engaged in hostilities with the United States. The effect of the union of the different tribes. Wayne's army advancing; hopes, but is not confident, that the Indians can successfully oppose him; sends sketch of Wayne's march and also of the post at the Miamis, which includes Turtle Island, which he means to occupy, and to combine the defences. The prospect of raising men for a Canadian corps. Is confident that the Legislature will arm him with sufficient powers to defend the laws and to oppose all who would contravene them. Discusses the subjects of defence and of the treatment of the

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Indians, &c. The promotion of trade towards the Mississippi; the advantages arising from a post with that object in view. Effects on Lower Canada of an attack on Upper Canada. Forwards the dispatch by Captain Talbot, whom he recommends. Page 178

Enclosed. Proceedings of a Council held at Buffalo Creek on the 18th of June, present, Indians: The principal Sachems, Chiefs and Warriors of the Six Nations. From the United States: Wayne with his attendants. From Upper Canada: Johnston, the interpreter of the Indian Department. 195

Sketches referred to in preceding letter (No. 24). 200*a*, 200*b*

July 3, Niagara. Simcoe to Dundas (No. 26). Is gratified that his conduct in respect to the United States and Indians is approved of. The difficulty of reporting by letter the various petty details. In order to meet the attack in the House of Lords on the conduct of Government, sends account of the circumstances connected with the dealings of the United States with the Indians inrespect to the acquisition of lands. Considers that the treaty of Utrecht is the only authentic document that defines the state of the Indians as far as regards European nations, giving the Indians and their traders perfect freedom in the Indian lands and considering the natives as entirely independent. The establishment of a government in Upper Canada was absolutely necessary for the preservation of British commerce against the aggression of the United States; it was fortunate it was not delayed another year. Sends observations to elucidate the speech of Littlehales. In the case of hostilities between the United States and the Indians, Britain has not been the aggressor, and the very Indians who resisted the fraud and force of the United States were at the beginning of the late rebellion tampered with by the agents of those who occasioned it, prior to being offered the hatchet by the King's officers. 201

(For letter No. 27. See Q. 70 p. 1.)

July 4, Whitehall. Dundas to Simcoe (No. 6.) Dispatches received. Approves of his prudent and pacific conduct, in view of Wayne's supposed approach towards Detroit. This, with the disunion among the Indians, does not lessen the necessity of, if possible, avoiding the proceeding to extremities, at a time when the presence of Jay may lead to a termination of disputes. The immediate protection of Detroit itself is the only object to be attended to; sends copies of letters to Dorchester on the subject. The arrangement for occupying places in Upper Canada to be conducted on the principle that the posts on the American side of the treaty line are only to be held temporarily, as the final arrangement will no doubt lead to their evacuation. The policy to be observed with respect to the Indians within the Province. 140

July 4, Whitehall. Same to same (separate). His report respecting the defence of Upper Canada shall be laid before the King's confidential advisers. His letter and enclosure in regard to Stephenson's (Stevenson) suggestions satisfactory. Several of these merited attention. 143

July 7, Nevy Hall. Simcoe to Dundas (No. 30). Sends resolution of the Executive Council approving of the table of fees for grants of land sent for confirmation. The Council recommends, that in the case of disbanded soldiers and loyalists who are to receive their patents free, Government should pay the officers issuing the patents half fees for their trouble. 259

Resolution of the Executive Council respecting fees on land grants. 261

Tables of fees, Upper Canada. 263, 264

July 15, Whitehall. Portland to Simcoe (No. 1). Sends copies of letters to Dorchester to which he is to conform, &c. He is to take measures to carry into effect the agreement between Grenville and Jay. 145

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August 2.
Navy Hall.

Simcoe to Dundas (No. 28). Sends speech on closing the Legislature, and observations on the Bills passed during the session. Submits memorandum respecting the Marriage Act, relative to the report of the Attorney and Solicitor General. Will transmit the acts by the first opportunity. Has received authority to appoint an agent to purchase provisions for the troops and garrisons. This will, he believes, be a saving to the public and afford the inhabitants an open market; hitherto they have been subject to a severe monoply. Page 237

Gazette containing offer of a reward for information as to persons in a boat firing on a guard when challenged. 239

List of acts assented to. 241

The Governor's speech on closing the session. 243

List of official appointments. 245

Commissions in the Militia, County of Dundas. 245

do do do Lenox. 246

Observations (referred to in No. 28), on the acts of the third session of the Legislature of Upper Canada. 248

Memorandum respecting the marriage Act. 256

(Simcoe to Dundas, No. 29, of 5th August in Q. 70, p. 7.)

August 5.
Navy Hall.

Simcoe to Dundas (private). Sends communication received through Jarvis, from the Governor of Vermont. Reported disposition of Vermont to enter on hostilities against Canada positively contradicted by people from there, who state that these are fabricated in New York to stir up enmity with Great Britain. Sends a New York paper with similar reports. Deplores the fact that no means have been taken to discriminate the foundations on which the proprietors of lands in Vermont are at issue with the proprietors of lands in Canada from the general and more extensive principle on which Great Britain holds the lands round the posts retained till the terms of the Treaty of 1783 are completed. The state of the question to which he had called attention before leaving London. The people of Vermont would gladly embrace neutrality, so that their State might not become the seat of war. Calls attention to the question of the extent to which the people of Vermont who are friendly to Great Britain might be of service. 266

Report by Mr. Jarvis, Secretary, of his conversation with Governor Chittenden respecting affairs in France, and that the opinion in Vermont, as stated by the Governor, was the same as "in the year 1781, "when Colonel Fay was three weeks on board a King's vessel in Lake "Champlain negotiating a union with Canada, &c., &c., when the news of "Lord Cornwallis's misfortune reached Vermont, which suspended the "negotiation and finally put an end to it." The statement that Vermont held the views stated by Chittenden corroborated by General Allen at Colchester, and Colonel Allen at Fairhaven. 269

Extract from the "Daily Advertiser" dated New York, 21st June, 1794, containing the report of a supposed action between the Americans and British in Vermont. 271

September 5.
Whitehall.

Portland to Simcoe (No. 2). Dispatch to Dundas and the Gazette received. Respecting Cartwright's opposition. The dispatch No. 1 would relieve him from apprehension as to the approach of Wayne to Detroit; all matters between Great Britain and the United States continue to wear the most favourable appearance of being brought to an early and amicable conclusion. 162

October 4.
Whitehall.

Same to same (No. 3). Dispatches received. Shank's memorial shall receive attention and his case be recommended to Lord Amherst. The present position of affairs promises an amicable settlement of differences with the United States, yet he does not see any objection to an augmentation of the Queen's Rangers as a measure of permanent utility. Has

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no doubt that Dorchester will arrange the commissariat satisfactorily. The occupation of York and Long Point and the communication with Lake Huron are of importance for the improvement and security of the Province. The appointment of McKee to the Council shall be considered when there is a vacancy. Measures for the care and distribution of Indian goods should be adopted; the want of method and the embezzlements are disgraceful in the extreme. The re-union of the Six Nations with the Western Indians and Confederacy may bring about a satisfactory agreement for a boundary. The confidence of the Indians must be duly cultivated. The likelihood of maintaining trade with the Indians on the American side; his suggestions relative to the Wisconsin and western side of the Mississippi deserving of attention. His letter No. 26 gives a satisfactory statement of the Indian question as it stands between the United States and British, and shows a clear conception of the terms of the Treaty of 1783. That Treaty, in describing the line between the two countries, is perfectly silent as to the privileges and claims of His Majesty, be they what they may, within the Indian country south of the Treaty line. It does not, therefore, by any possible construction, transfer to the Americans even the capacity of taking any benefit in consequence of these privileges or claims, which belong to His Majesty. Forbears entering into this point as an amicable adjustment is at no great distance. In consequence of certain promotions, Captain Shank has obtained the rank which he is soliciting. The alteration which he (Simcoe) desires in his corps, should properly come through Lord Dorchester. Page 231

November 7, Whitehall. Portland to Simcoe (No. 4.) Dispatches received and laid before the King. The list of Acts which have been assented to and the observations thereon, appear to show that they lay a sound foundation for the security, order and good government of the Province. The table of fees is not conformable to that in Nova Scotia; how the error has arisen. The conduct of Lt.-Colonel Campbell towards Wayne approved of. 273

November 10, Whitehall. Same to same. Had received dispatch with communications from Vermont and newspaper. Government not to be committed in the contest between the American States and the Indians; any negotiations of the kind he (Simcoe) suggests would endanger final arrangements with the States, those with respect to Canada being nearly decided upon; but other points not yet settled may delay the execution of the treaty. The effect of attending to the present disposition of the Vermontese. 275

LIEUT.-GOV. SIMCOE AND MISCELLANEOUS—1794.

Q. 280-2.

1792. November 12, Kingston. Richard Cartwright Jr. to Simcoe. Representation on the subject of transporting wheat and flour to Lower Canada. Page 437

1793. February 22, Detroit. Askins to Simcoe. Suggests a mode of carrying on the Indian trade to the Westward. 378

February 29, London. W. Dummer Powell to Dundas. (The date, February 29, evidently an error, is given as in the original. Powell was in London from the end of 1792 to the summer of 1793. See Q. 279-1 p. 218.) His reasons for justifying himself before any specific offence is alleged. Served under Gage against Boston; went to Britain to study law, which he came to Quebec to practise. His belief in and efforts for the prosperity of the Upper Province. The failure of his hopes; his retirement from public life. His success in the legal profession, until called to the public service by Lord Dorchester, apparently to His Lordship's satisfaction. The omission of his name from the Council and the attack on his character

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and principles, to the risk of his life from the Indians. Simcoe's defence of his character. It is to solicit condemnation or absolution that he had come to the metropolis. The material injury he had received, besides the obloquy attaching to his name from having been passed over in the appointments to the new Province. Proposes that the subject should be referred to Lord Dorchester. Page 494

July 14, Michilimakinak. Robert Dickson to Robert Hamilton, Legislative Councillor, (extract). Respecting the Indian trade from Michilimakinak, the one route by Chicago, at the bottom of Lake Michigan; the other by the Fox River and the Wisconsin, the latter being preferred on account of the shortness of the carrying places. Description of the routes. 364

July 28, Michillimakinak. Captain Doyle to Simcoe. Respecting the possibility of encouraging a trade between his post and Kentucky. The principal trade at present is to and beyond the Mississippi by way of La Prairie du Chien, thence down to the settlements on the Illinois, where a large quantity of British goods is consumed. The Americans propose to impose a tax of ten per cent on this trade, to act as a protective duty to a trade which Congress proposes to establish from Vincennes. A considerable trade from his post to Pain Court, or St. Louis, but this cannot be depended on, for reasons given. The service rendered to British traders by Captain Trudot commanding New Orleans. There is a chain of British traders from the Illinois, up the Mississippi to the mouth of the St. Peter River, the most valuable from the post. Doubts if the trade by way of Prairie du Chien will be valuable so long as Spain holds the key to the country. General remarks on the trade. 373

November.— Returns of shipping, namely, private vessels employed on Lakes Erie, Huron, Michigan, Superior and Ontario. 394

Of imports to Detroit from Fort Erie. 395

Of exports from Detroit to Michilimakinak and the Falls of St. Mary, &c. 396

List (in French) of vessels clearing from Michilimakinak. 397

List (in French) of vessels entering in the port of Michilimakinak. 398

December 25, Bath. Condition for the settlement by actual settlers of the land at Sodus on the banks of Lake Ontario. Signed by Charles Williamson. 428

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January 2, New Orleans. Baron de Carondelet to Simcoe (in French.) Is persuaded that it is the interest of Great Britain that the Illinois should remain in the hands of the Spaniards. Applies for absolutely necessary assistance to preserve the settlements. 380

Answer by Simcoe, dated 11th April, that no one more readily than himself can concur in the observation that it is the British interest that Louisiana should remain in the hands of Spain. 381

February 3, London. "A few Observations" (by Captain Stevenson) "political, commercial and military on the consequence of Upper Canada and the navigation of the Mississippi," &c. 498

February 26, Newark. Osgoode (Chief Justice) to Dundas. By the death of Mr. Smith the Chief Justiceship of Lower Canada is vacant. Had sent a letter of application to he appointed his successor. Had the vacancy occurred before the division of the Province, he would not have thought himself justified towards the Lieutenant Governor in making an application that might tend to leave matters in suspense. But from present circumstances hopes to be absolved from the charge of precipitancy. If the talents of other applicants do not weigh down the hopes held out to him on coming to the country he trusts that his application may be successful. 512

June 17, London. Stevenson to King. Explains that the representation of Simcoe that he had made requisitions in his (Simcoe's) name without authority arises from misapprehension. Gives a summary of previous statements to

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Dundas, which were dictated to him by Simcoe, the others were explanations for the further information of the Minister, having given his own views when they were asked for. Simcoe so dreads responsibility as to make it very awkward for him (Stevenson). Asks that the matter be explained to Dundas, as he would not wish it to be thought that he was making promises or demands without being authorized to do so. Page 507

Memorandum from Simcoe on the necessity for a Quarter Master and Brigade Major in Upper Canada. 510

June 23, Newark. General return of the Militia of Upper Canada. The numbers are given for each district, each county in the districts being given separately. 393

June 28, Cork. W. Willcocks, Mayor, to ————. That in 1792, he had explored Upper Canada, and was sorry to see it so desolate when many thousands were emigrating to the American States. He would have taken his family there last year, but for the war. Has turned his thoughts to peopling Upper Canada; has dispersed advertisements throughout the Kingdom to turn the torrent of emigration that way, but is inadequate to the task on a large scale; asks for a light victualler or transport to take out the people next spring; he will himself lay in the provisions, so that there will be little expense especially as Government may be sending there for flour and other provisions for garrisons in the West Indies. Having received a grant of the township of Norwich, he will take his family there next spring. His anxiety for the settlement of the country. 515

August 10, Navy Hall. Simcoe to Dundas (No. 31). Sends copy of a letter lately forwarded to Dorchester. Orders he requested from the officer in chief command were transmitted by Major General Clarke, of which Dorchester approved but declined to say anything further. Complains that he can get no answer from Dorchester, who treats him simply as commanding the troops in Upper Canada. Had as ordered by Dorchester, sent an officer to protest against any settlement being made on the Lakes by the people of the States. 277

August 11, Navy Hall. Same to Dorchester. Had received dispatch of 11th July, brought by the Bishop of Quebec, who arrived on the 9th of August. Shall send Lieut. Sheaffe and another officer to protest against the settlement at Sodus, and also, if found expedient, to Oswego and Hungry Bay. Has discovered that Desjardins is the agent of a French company at Paris. The different circumstances of the country, as compared with those when Dorchester's letter No. 1 was written. Hopes the United States will not occupy Presqu' Isle, nor attempt to victual Wayne's army by such means or to occupy Buffalo Creek or its vicinity. If they should, he would do his best for the destruction of such an armanent, under the general orders "to repel force by force," unless he hears to the contrary. Has already freely communicated the facts and his opinions respecting the powers of defence and offence in the Province. The militia unless exercised and called out cannot be reckoned an efficient force. The most prudent attention must be paid to make the first movement of the King's troops successful either in repelling the enemy or in retaliating. Presumes that his Lordship means to include the Indian nations as a means of defence, although he has never mentioned their names in communications. The importance of Niagara; the means taken to secure it and its dependencies. The progress of Wayne's army must be stopped, so as to prevent the occupation of the lake from Buffalo Creek to Miamis Bay. Details of the movements to accomplish his plan of protecting the Province; the kind of artillery required; general outline of military arrangements for a campaign should that become necessary. The difficulty of forming a satisfactory system with a scanty and divided army, indefensible fortresses, unprovided arsenals and an untried militia and Indian allies. 280

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Order by Lord Dorchester to Simcoe that he is to send to warn off subjects of the United States from making settlements on any of the lakes, as a violation of the King's rights in the Indian country. Page 289

Copy of the protest to be lodged in carrying out the preceding order. 290

August 13, Navy Hall. Simcoe to Dundas (No. 32). Serious news from the Indian country. Chapin has called on the Six Nations to meet him at Buffalo Creek; Washington has complied with the requests of the Indians so far as to order that Presqu' Isle shall not be occupied, and the fort at LeBœuf shall be abandoned. Wayne is rapidly advancing with 4,000 troops and the Hurons have returned the hatchet formerly received from Hamilton, desiring him to sharpen it, or they would cease to defend their country. The report in Wayne's army is, that he has positive orders to reduce the British post at the Miamis and to attack Detroit in Spring. Bunbury of the 5th regiment has been sent to occupy Turtle Island at the entrance of Miami Bay, hoping by the combination of gun boats and other vessels to prevent ingress or egress. If Wayne attacks Detroit, he (Dundas) must be prepared to hear that it is taken; it is "a nominal fortress, with a nominal garrison." 291

August 13, Grand Glaize. Instructions by Wayne to Christopher Miller, sent with a flag to the Indians. The lives of eight prisoners depend on his personal safety and on his return by the 16th. 299

Speech of same date by Wayne, brought to the Indians by Miller. 300
(In Simcoe's No. 33 of 23rd August.)

August 14, Rapids. McKee to England. Sends Wayne's speech with Miller's instructions. Had overheard him (Miller) telling the Indians that the designs of the army were against the English; had in public taken an oath (see p. 303), and that Wayne had desired him to tell this to the Indians. Shall send word of the determination of the Indians on this message as soon as he is informed of it. 297
(In Simcoe's No. 33, of 23rd of August.)

August 15, Rapids. McKee to England. The Indians have sent an answer to Wayne to gain time. Report that Wayne is reinforced by another 1,500 militia from Kentucky, who have brought, or are to bring up more artillery. 304

August 23, Navy Hall. Simcoe to Dundas (No. 33). Wayne has advanced to the Glaize, but has not since proceeded rapidly; the fort at the Miamis reported to be in a perfect state of defence: will proceed to that district with troops, hoping to confirm the Indians and to animate the militia. Lieut. Colonel England has so increased the garrison at the Miamis and from other circumstances, this post (Niagara) has become the main object of consideration, so that the maintenance of Detroit depends on its defence. The Indians, about 1,300, are assembled almost under its guns. Wayne's force consists of 1,500 Kentuckian Militia and 1,800 continentals, well disciplined, among them being 300 cavalry. The ignorance of the value of cavalry; it is a cheap and essential requisite for the defence of the country. Is still in hopes of preventing the Six Nations from giving way to the arts of the United States, and of admitting them to Presqu'-Isle. The effect of opening the road to Wayne by which the Southern States can march unmolested, and an inundation of settlers from the back country, as formidable in the woods as the New Englanders are on the lakes, will combine in overwhelming the Province. Repeats his observations to Lord Dorchester respecting the difficulty of forming a system in war, especially where the means are wanting. 293
(Enclosures calendared at their dates.)

August 31, Miamis. Information of Wayne's Army by William Hamilton and Edward Bently, deserters. 446, 447

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September 1,
Navy Hall.

Report by Simcoe to the Lords of Trade. General remarks. Report on the Fur trade confined to what may tend to the protection and future increase of some of its branches. The trade to the North-West (Appendix A); to Michilimakinak; route to the Mississippi (Appendices B and C); proposed factory there which might be established on nearly the plan offered for the Miamis (Appendix D). How the lands might be purchased from the Indians; goods distributed, &c. Respecting the trade, posts, &c., on the Mississippi; relations with the Spaniards; the effect the post would have on the commerce of the colonists from the Atlantic States. How British capital invigorates the Merchants of Philadelphia, Baltimore, &c.; they should not be the medium of giving credit to the Merchants of Kentucky, that should be done by British subjects, the inhabitants or factors of Upper Canada; this would support a Mutual Alliance beneficial to both countries. It is generally understood that above half of the inhabitants of Kentucky and the Western waters are already inclined to a connection with Great Britain. The trade of Detroit; of Niagara (Appendix G); the influx of settlers; their goods admitted, except East Indian goods, a traffic which can only subsist by smuggling (Appendix K); the contraband trade carried on from the Genesee, settlement at Oswego, &c., being made for the avowed purpose of smuggling. The fisheries of Upper Canada; the Militia (Appendix J); shipping (K, L and M). General remarks on the situation, boundaries, &c., of the Province. Flour the staple of Upper Canada. The settlements at Niagara, the lands can produce tobacco, indigo, hemp and flax. Respecting the communications. The difference in the method of settling Lower and Upper Canada; in the former the settlements are all along the St. Lawrence; in the latter they are further back and the smaller streams will soon become very populous. The towns of Cornwall, Johnstown, Kingston, York (Toronto), Gloucester or Matchedash Bay. York the proper arsenal from its communication with Lake Huron. A calculation has been made of the advantages of this route to Montreal, over that by the Ottawa, which is full of rapids, and very dangerous. The agricultural value of the land towards Lake Simcoe; the settlements will materially assist transport towards Gloucester or Matchedash Bay. The road to Holland's river to be opened this winter; how the lots are laid out on the road. The Crown has long since purchased and paid for permission to occupy and settle specific districts of this part of the country, "but it has been executed with that irregularity which in the Indian Department pervades every part of its transactions." Continuation of the account of the communications of York, namely, with Niagara, with the Thames by Dundas street, with Lake Erie by the Ouse, with Detroit by the Thames. Proposed site for the capital; for Chatham, with roads, &c., described. Long Point as a Naval Arsenal for Lake Erie. Speedy means of uniting troops; towns will spring up where troops are stationed; it is, therefore, important to select situations which may best afford permanent advantages. This was his reason for selecting the posts recommended. Considerations respecting the transfer at a future period of trade from the Atlantic Coasts to Upper Canada. New York and eastward provinces cannot compete with Upper Canada in the fur trade or in any other trade depending on the communication with Lake Huron; the advantages of the Matchedash route. The difficulties of the route from New York to Oswego (Appendix G.) Hopes that a preference will be shown by British capital for a British Province; the sequestration of property in New York may help this. If the persons supposed to govern the United States cannot prevent a war, they will probably foment it, rather than risk losing their authority. General remarks on

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the arrangements he desires to have made for the advancement of the Province, and dwelling on the management of the Indian Nations, his observations on the latter being based on the report of the Lords of Trade of the 7th of March, 1768. His remarks are divided into: 1. On such arrangements as were then practicable and wise, but which have now ceased to operate; 2. The incompetence of the present system; 3. What may be offered as an establishment adapted to existing circumstances. These are considered at length, with appendices. Propositions for a circulating medium. The welfare of individuals and the prosperity of the Province depend on these different objects: "To preclude the "advantages derived from the purchase of flour for the King's service, "from becoming a monopoly of the merchants, who are also millers, land "owners, holders of mortgages, and retailers; to obtain a circulating "medium in money or its value and to reduce the transport on the St. "Lawrence." How these objects can be promoted. Page 307

Postscript giving a summary of McKenzie's exploration to the North-West, the necessity of a consolidation of the fur companies, &c. 359

September 10. McKenzie to Simcoe. That he had left on the 9th May, 1793, one of the settlements on the Peace River, to penetrate to the western ocean. The route he followed to the western ocean and his return. 362.

September 11, Niagara. Simcoe to Dundas (No. 36). Sends duplicate of the report to the Lords of Trade. It will be seen by appendix A, that McKenzie had penetrated to the Atlantic (Pacific) ocean and had returned safely. 305

September 11, Niagara. Same to same (private). As he is setting out for Detroit, McKee writes that he is ordered by Dorchester to come to Quebec. The injury McKee's absence may cause to the King's service, as his (Simcoe's) hope to unite the Indians may be disappointed. It emphasises his many statements that the civil governor or commanding officer in Upper Canada should be the channel of communication between the Commander-in-Chief and the Indian and all other Departments, as at the distance of nine hundred miles, it is impossible to anticipate transactions that may render it necessary to suspend general orders. 440

September 12. Navy Hall. Same to same (No. 37). The importance he attaches to a central situation for a capital, in respect to Indians, apart from other considerations. His satisfaction that two battalions are to be raised, so that he can occupy London. Had submitted to Dorchester the propriety of raising four independent companies, to connect French and British interests, pointing out the garrisons they might occupy in case of war. Believed that 300 men might be raised from the McDonells of Glengarry, under their own officers. Had in July transmitted the names of officers proper for commissions in the regiments to be raised, and particularly specifying those of Detroit, if their services were limited to four or five years; authority was given in September to nominate such officers, but the bounty offered was less than that given to vagrants by the regular regiments and the settlers would not be encouraged to leave the province. Under these circumstances should war arise, he would avail himself as administering the Government of Upper Canada of his powers to raise troops wherever he could obtain them and to raise the bounty, etc. 442

October 20. Navy Hall. Same to Hammond. The official position of Randolph calls, he presumes, for an answer to his animadversions which otherwise would have been passed over in silence. What he calls Governor Simcoe's invasion was the reoccupation, for defence against a hostile army, of the post on the Miamis, in accordance with the orders of the Commander-in-Chief. Randolph's insinuations were intended to convey the idea that British soldiers at the post were united in arms with the Indians in an attack on a post held by the United States, and to promote such a belief, Randolph comments

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on the protest delivered to Williamson at the harbour of the Great Sodus. Every act of the British Government is treated by Randolph as an act of hostility, otherwise he would have seen in the protest delivered by Sheaffe to Williamson not a tone of hostility, but a spirit of conciliation. When Sheaffe delivered the protest, he was accompanied by one officer and by seven unarmed soldiers to row the boat, who wore only their fatigue dress. Extracts and comments on the misstatements in Randolph's letter and to the pretensions of the United States with respect to the Indians, which are neither justified by practice nor by treaty. The principle is incompatible with natural right and injurious to the acknowledged independence of the Indians. The British Government has always done justice to the natural rights of the Indians and has not violated the stipulations made for their support; hence they have been always anxious for the presence of King's officers at their meetings. Had the United States accepted the King's good offices, as requested by the Indians, a satisfactory peace could have been arranged. Wayne's ignorance of the real position of affairs when he attacked the possessions of the King's subjects round the post of the Miamis and demanded its surrender. The discretion of Major Campbell, commander of the post, prevented the beginning of a war with its dreadful consequences. Randolph's letter was evidently written to prepare for the consequences of Wayne's movement, and had the forbearance of Campbell, to which Wayne owed his safety, been foreseen, he (Simcoe) would probably have been spared the trouble of taking notice of Randolph's letter. Page 484

(In Simcoe's No. 5 of 24th October.)

October 23, Navy Hall. Simcoe to Portland (No. 1). Has received circular of His Grace's appointment. How he (Simcoe) proposes to carry on the correspondence. 449

October 23, Navy Hall. Same to same (No. 2.) A summary of propositions, respecting the settlement and defence of the Province, formerly made to Dundas. Encloses a map, showing the situation of York, London, &c., and communications. 451

Map. 458*a*

October 24, Navy Hall. Simcoe to Portland (No. 3.) Dispatches received. Will be happy should Dorchester enable him to occupy York and Long Point as places of strength. His opinion as to the proper management of Indian affairs. His happiness that his conduct in respect to Wayne's threats has been approved of. Had Dorchester communicated Dundas's letter, it would have saved much anxiety, and a doubtful construction being placed on his own orders. His (Portland's) dispatches received. Is in expectation of orders from Dorchester and has already discontinued preparations made in consequence of Wayne's late aggressions. 459

October 24, Navy Hall. Same to same (No. 4). In the instructions of General Knox to Sinclair (St. Clair) it appears that the establishment of a post at the Miamis town would be considered an object of jealousy to the British commanders, which he (St. Clair) was to send a message to remove. The occupation of a post at the Glaize, called by Wayne Fort Defiance, is at least 50 miles nearer British possessions and not more than that distance to McKee's house, burned down on Wayne's late incursion; this post ought to be placed on the same footing with the British post on the Miamis; the effect of this on the Indians. Should the post on the Miamis be withdrawn, it will alienate the Indians who will become the ready instruments of the United States. The stories the Canadians are telling the Indians as to the intentions of the British and United States to drive them out, the post at the Miamis being only built to be given up. Shall not abandon it without positive orders. Shall communicate to Hammond the steps that have been taken to avoid giving umbrage to the

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United States. Sends statement of the distances from which supplies have to be drawn from the different posts; the great expense of transport; how he could easily have destroyed most of their forts and have rendered the Province secure from invasion by way of the Ohio. Has taken steps to ascertain the value of the property destroyed at the foot of the Rapids, belonging to McCormack and Haggs, British subjects long settled there; will send the claims to Hammond. Dorchester has as yet no knowledge of Wayne having established Fort Defiance. The jealousy of the Indians that there is collusion between the British and Americans; could not answer for the safety of the British inhabitants of the Province from an Indian warfare, should the post at the Miamis be withdrawn and Fort Defiance remain. The policy of destroying the post. How Wayne has gained a knowledge of the country, which would enable him to occupy the King's post, which would be abandoned in very suspicious circumstances in the eyes of the Indians. Reason why McKee's house, McCormack's farm and Turtle Island will be retained till the close of negotiations. Page 462

Fortifications made by the United States within the Indian territory north-west of the Ohio:

1. Fort Washington to

2. Hamilton	25	miles.
3. Sinclair	25	"
4. Jefferson	25	"
5. Grenville	6	"
6. Recovery	27	"
7. Randolph	22	"
8. Defiance (Glaize)	52	"
	182	miles.
9. Miamis Town	60	"
Thence to Recovery	40	"
	282	miles.

The above fortifications consist only of pickets, with block houses in the angles, not tenable against cannon, except Fort Defiance and perhaps the new fort now erecting at the Miamis towns. The country from Washington to the Miamis towns is in general hilly and swampy, and the road consequently not very good. Distance from Fort Miamis to the Glaize is about 50 miles. 468

October 24, Navy Hall.

Simcoe to Portland (No. 5). Had arrived with McKee at Miamis Bay on the 27th of September. The arrival of the Deputy Superintendent grateful to the Indians, who had assembled at Swan creek, and was useful to the King's service, as the disaffected Canadians had been industriously instilling into the minds of the Indians the idea that they had been abandoned. At a general council the chiefs asked for immediate assistance to attack the American posts; had returned what he thought a prudent answer. Brant and his people admitted to the council by the mediation of the King's servants rather than by any inclination on the part of the Western Indians. The appeal made by Brant to Dorchester for the assistance he (Simcoe) could not grant. On arrival at Fort Erie, found that the Senecas had gone to meet Pickering. The anger of Brant at the false statement that he had approved of the meeting in the Genesee country; he is determined to have no meeting except the one at Buffalo Creek. O'Beal and other chiefs determined to sell no more land. Repeats the statement of Wayne building forts. In the last skirmish the Indians lost 20 or 30 men, and Wayne between 300 and

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400 of the regulars, either in action or by desertion. Had gone to Detroit to crush the spirit of disaffection in the Canadian militia there, but found that the company called out had gone to the Miamis. Had dismissed 200 militia called out in consequence of Wayne's movements. Hopes he may be enabled to occupy the internal positions he has been hitherto prevented from fortifying. Sends copy of letter to Hammond, to be made public or not as circumstances may require. Regrets any attempt that might lessen him (Simcoe) in the general opinion of the people of the United States, which he believed he enjoyed, as that might counteract his being usefully employed, and disable him from taking part in the settlement of differences and the ascertaining of a boundary line, which might be necessary owing to his local and general knowledge of the interest of the Province. Page 469

Simcoe's reply to the Indian nations assembled at the Wyandot village on the 13th October, 1794. 474

No date. Information of Collins relative to the state of commerce between Kentucky and Philadelphia and New Orleans, and his ideas of an intercourse that may be opened with Michilimakinak, to the mutual benefit of the merchants of Kentucky and those of Upper Canada. 382

Observations on the communication from Albany to Oswego. 387

Form of permit for admission into Upper Canada of the effects of intending settlers. 392

Memorial from the merchants of Montreal, trading to the Indian or Upper Country, respecting the danger to their trade from the establishment of posts on the frontiers by the Americans, with table showing the difference of expense on sending goods by way of Kingston, York, etc., and by way of the Ottawa to Michilimakinak, the difference in favour of the former being £102 3s. 4½. Also correspondence on the trade, dated 9th December, 1791, and 23rd April, 1792. 399, 404, 413

Notes on proposals to be submitted to Government for the administration of criminal justice, to carry the due course of law into effect throughout the most distant parts where the fur trade of the North-West and other adventurers in that traffic are now extended. 433

Statement of the average prices of wheat flour in Upper Canada and in the United States, also the freight to different parts. A note signed by J. Walton says: "Messrs. Hartshorn and Freeman, merchants of "Halifax, wish Mr. Elias Smith and myself to contract for the purpose "of supplying them with 30,000 bushels of Upper Canada wheat yearly, "a sample having been sent them which was approved of giving it the "preference to wheat of the United States. J. Walton." 435

Estimate of the expense attending the civil establishment of Upper Canada. The total amount is £6,100. 519

Lieut.-Gov. Simcoe and Miscellaneous—1795.

Q. 281-1.

1794. September 5. Navy Hall.

Simcoe to Dorchester. Regrets that he was not personally able to examine the points suitable for the protection of the deposit of stores and preservation of the communication between Montreal and Lake Huron. Had received the observations of Lieut. Bryce; these with his own knowledge of the St. Lawrence, and especially of Kingston, enable him to submit remarks on the subject. The advantages of Kingston, including Point Frederick, or Hope's Cove, for a place of deposit. The difficulty of fortifying it, the fact of the land rising height above height as it recedes from the water will render it difficult to fortify except on peninsulas or islands. In event of a war with the United States, it may

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be expected to be a violent irruption of militia; does not think Kingston can be adequately fortified as a deposit for stores or for shipping; the distance of York, objected to by His Lordship, may be its preservation; how it can be defended; thinks it ought to be the refitting post and winter deposit of all Naval and Military Stores. It must hereafter become the permanent Naval Arsenal of Ontario. For the preservation of the communication of the St. Lawrence, no one position unites all the necessary requisites. Carleton Island, naturally objected to, possesses them more than any other place. Does not think a deposit of stores absolutely necessary; other plan proposed, to have the river fortified by a series of posts on the islands and main land. York to be the winter port for shipping. Instead of a deposit at the mouth of the St. Lawrence, proposes an increase to the shipping by which provisions could be supplied with greater celerity than from Montreal, where temporary deposits could be made, that could furnish supplies by the King's vessels. Transmits report on the guns at Point Ivrogne; proposes to remove them. Differs in opinion from Haldimand as to the possibility of effectually fortifying Kingston. Oswego, Haldimand held to be the key to the St. Lawrence. Asks for a full supply of military stores and ammunition, as a war appears to be inevitable. Page 31

(In Simcoe's No. 11 of 11th November.)

September 17, Quebec. Dorchester to Simcoe. "The discretion and good conduct shown by "Major Campbell in his correspondence with General Wayne, has given "me much satisfaction and I shall be obliged to you to communicate to "that gentleman my perfect approbation thereof." 22

October 11 to 14, Brown's Town. Proceedings of a council held here; present Simcoe, with the Indian and other officers, the Indians being the Six Nations, Wyandots, Delawares, Shawanese, Miamis, Ottawas, Chippewas, Pottawatomies, Cherokees and Munseys. 207

(In Simcoe's No. 14, of 22nd December, 1794.)

October 27, Navy Hall. Simcoe to Portland (No. 6). Forwards copy of the Acts passed at the third session of the Legislature of Upper Canada. The others shall be sent with as little delay as possible. 6

October 30, Niagara. Same to same (No. 7.) Had received His Grace's dispatches through Lord Dorchester. Should the negotiations between Pickering and the Indians terminate amicably, had no doubt the United States would occupy Presqu 'Isle and equip a fleet of boats to co-operate in a hostile attempt on the Miamis, or to supply their army at some post, Sandusky for instance, on Lake Erie. Lord Dorchester has transmitted a letter to Wayne, which shall be forwarded to Chapin. Has written officially to Rose on the subject of the supplies of this country, there being universal complaint against the monopoly; the remonstrance of the Assembly on this subject has been forwarded. Directs attention to the subject. 14

October 31, Navy Hall. Same to King. Has received account of Lord Howe's victory and also estimate for the civil establishment of Upper Canada. Sends requisition for stationery and also for the types necessary for the Government printing press. Repeats his request for means to work the salt springs; reasons for urging this. Acknowledges receipt of a letter from the Duke of Portland, respecting free mulattoes banished from the West Indies. 8

Requisition for types for the Government printing office of Upper Canada. 11

The same for stationery. 12

The same for materials wanted for making and setting up ten salt pans at the salt springs in Upper Canada. 13

November 10, Niagara. Simcoe to Portland (No. 8). Encloses Dorchester's approbation of Campbell's correspondence with Wayne on his late approach to the

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Miamis. Reiterates his opinion of Campbell's conduct as contained in his (Simcoe's) letter to Dundas. What would have happened had Wayne persisted. The dangers of a premature war. Recommends Campbell for a special mark of approbation, and the public acknowledgment that his conduct had in all respects corresponded with his (Simcoe's) wishes, so as to justify him with the United States and British nation, instead of the light in which Randolph has placed him as a fire-brand. Has little personal acquaintance with Campbell, but thinks it his duty to express his sense of the important consequences of his conduct. Page 17

November 10, Niagara. Simcoe to Portland (No. 9). In consequence of the removal of chief justice Osgoode to Lower Canada and there being only one puisne judge appointed, has obliged him to issue a commission to the Honourable Peter Russell. The inadequacy of the salaries of the puisne judges and other patent officers. Has appointed Mr. Gray to the office of Solicitor General. He is the son of Captain Gray, on half pay, a Colonel of Militia, a worthy example of loyalty. 23

Report by W. Dummer Powell, recommending the appointment of an additional puisne judge, *pro tempore*, there being only one at present and no chief justice. 25

November 10, Niagara. Simcoe to Portland (No. 10). Aitkins, Deputy Surveyor, has surveyed the harbour at Matchedash Bay; plan enclosed. It is described as a proper situation for a town. The communication traversed by Aitkins has not proved so good as hoped for. Four carrying places may be avoided by using nearer channels in the route he (Simcoe) followed. The satisfaction expressed by the traders from Montreal to Lake Huron by the Ottawa with the new route. Urges the speedy establishment of a post at Penetanguishene to prepare for the evacuation of the posts. Hopes in May to confirm the old Indian purchase, almost obsolete from want of possession, and to add to it that of Penetanguishene. 26

Sketch of the harbour of Penetanguishene, with the soundings in fathoms. 28*a*

November 11, Niagara. Simcoe to Portland (No. 11). Sends copy of letter to Dorchester on the defences of the Upper St. Lawrence. Will set off immediately for the lower district, round Lake Ontario in a boat, and will probably visit all the places mentioned in the report. Has obtained seven boat builders from the States, all His Majesty's subjects. 29

December 15, Kingston. Richard Cartwright to Simcoe. Sends account, showing the quantity and value of the last year's produce exported or furnished on the spot for the use of Government. To this may be added 4,500 bushels of wheat or other grain, consumed by the breweries and distilleries, which must have been otherwise exported for a much less quantity of spirits and malt liquor than that produced on the spot. The quantity of pork collected in the district exceeds 800 barrels, more by three-fourths than the quantity produced last year, and would have been much greater, but for the drought destroying the Indian corn. Expects that 1,200 barrels may be collected next autumn. Had been more moderate in his estimate to George Davison, for reasons given. The prospects for wheat and flour not so favourable; although there are about 5,000 bushels in hand of the crop of 1793, doubts if there will be more than enough to meet internal demands and supplies for the troops. Anxiety caused by the Hessian fly. The saving to Government by supplies being obtained here. Staves, masts and spars were sent from the district since 1784; the trade is now abandoned, although still carried on in the eastern district, but not to any great extent. That district is more populous and the soil little inferior, but has never produced an equal quantity of wheat and flour, and has done nothing in the curing of pork, to be chiefly attributed to the want of enterprising mercantile men among them, as

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it must consume more time than a farmer can spare, to convey produce himself to a distant market, besides having regard to the necessity of experience in curing pork and the possession of a more expensive apparatus than he can generally procure. The ready sale on the spot is necessary to stimulate the industry of the farmer. Page 192

Account of wheat, flour and other articles, the produce of the Midland district of Upper Canada, exported from the town of Kingston, or delivered there for the use of His Majesty's troops during the year 1794, with their value. 197

December 19, Kingston. Simcoe to Portland. Transmits copies of documents respecting the case of Craigie, commissary general. 40

The correspondence consists of letters from Craigie, dated in 1786 to 1793, respecting the supply of flour etc. 42 to 69

Letter from Simcoe to Dorchester in answer to Craigie's observations. 70 to 107

General order to preserve all pork casks; that John McGill has been appointed agent for making purchases; and that the commissioners at the different posts are to receive orders through him. 109

Further correspondence with Craigie etc. 110 to 128

December 20, Kingston. Simcoe to Portland (No. 12). Explains his course respecting the occupation of the post at the Miamis and the other steps he had taken in consequence of Dorchester's orders and of the little doubt that existed of an early war with the United States. Had gone through the woods to Detroit to watch Wayne's movements, in accordance with Dorchester's instructions; had also sent to Hammond to interfere with the United States Government to prevent any ill consequences that would follow Wayne's menaces and approach. The charge of duplicity to which he would have been liable in consequence of the difference between his speeches and actions and those of Dorchester, which had not been communicated to him. Dorchester's reference to his (Simcoe's) knowledge of places he had never visited compelled him, in the absence of a Quarter Master General, to go to examine them himself. The fortunate arrival of Dorchester's speeches to the Indians prevented Hammond from presenting the case to the United States, as he (Simcoe) had written. The letter (of 14 pages) is a critique on Dorchester's orders and representations. 129

Correspondence in February and March. 145 to 163

December 20, Kingston. Simcoe to the Lords of Trade. Supplementary report to that of the 1st September, 1794, as the result of his having passed round the northern shore of Lake Ontario from York to Kingston, with account of the exports from Kingston, not received when the report was sent. Can now state that 70 families at least are settling in the vicinity of York, principally on the communication between York and Holland River; the soil well adapted for hemp; the supply of cordage for the transport vessels on the Lakes will afford a bounty to the farmers, as the consumption of the forces does for flour. Sends plan (not enclosed) for the purchase from the Indians at Penetanguishene of a tract of land on which to build a town; it would serve as a post should that at Michilimakinak be given up. Gloucester or Penetanguishene he holds bids fair to be the most considerable town in Upper Canada, as the passage to the North-West will be established here, and the chain of lakes from the Bay of Quinté to Lake Simcoe will give a practicable route to the merchants of Kingston, as they regard it as an easy means of communication between Lake Huron and Montreal, especially by traineau in winter. Lands between York and the Bay of Quinté most fit for settlement. Presqu'-Isle on Lake Ontario an excellent harbour with a short portage to the Bay of Quinté; a canal of about half a mile long would give com-

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munication betwen the two. The lands are directed to be laid out on each side of the road in lots of 100 acres to be granted to bona fide occupants. A reserve of 300 acres, to be made for the canal. Description of the Bay of Quinté. Kingston improved beyond his expectations; the fur trade is no longer the principal object of attention, the merchants look forward to the produce of the country as the true source of wealth; lands rising in value, only British capital wanted to increase wealth and traffic. The restrictions he proposes to apply to the fur trade, so as to make the Indian the bearer of his own furs and more industrious in his hunts. Remarks on the rich dresses of the Indians; how they would proceed to sell their furs at the houses of the traders, or perhaps of the farmers; what may be called the internal fur trade of the country is rapidly increasing. The people of the States purchase the furs chiefly for making hats. Three hatters have come into the Province last year; the manufacture of hats will be the only means of preventing this contraband trade. Remarks on the boundaries likely to be settled by Jay's treaty; on the settlement on the Genesee, the attempt of Des Jardins to establish colonies on behalf of the French emigrants, he having made large purchases towards the Mohawk. The danger of creating animosity by trying to prevent these settlements to the south of the boundary line; the benefit of commercial intercourse with them, provided the East India Company would establish a warehouse at this place (Kingston) and at Niagara, where their goods, especially teas, might be sold at as cheap a rate as can be afforded by the interlopers of New York. The trade might be carried to a great length and the access to the Southern and Western States would preclude the Atlantic States from supplying the transmontane settlements; by various routes but particularly that by Chicago, "where I apprehend a settlement will immediately take place," the trade might extend to Kentucky. Thinks this the time to have a liberal system of commerce on the lakes. The land jobbers in the States are looking out to supply the wants of their projected settlements, and this will cause them to accede to principles of convenience, in which, at another period, neither their avarice nor ambition would concur. "To guard against the machinations of this restless avarice "and the audacity of this all grasping ambition, is an object of the first "necessity."

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(In Simcoe's No. 13 of the 21st December.)

December 21. Kingston.

Simcoe to Portland (No. 13). Considerations on the Civil government of Upper Canada. His principle to make the Province as nearly as possible an image and transcript of the British Government. Had appointed lieutenants for the Counties, selected from the Legislative Councillors, giving them the appointment or recommendation of the Magistrates, and the nomination of the officers of Militia. Recommends that from their importance, the towns of Kingston and Niagara should be incorporated as cities. Defines the powers he intends to give these Corporations. The maritime jurisdiction on the Lakes and River St. Lawrence should be in the hands of these corporations. That over Lake Ontario might be divided between Niagara and Kingston and the intermediate port of York; how other portions (detailed) of the navigation might be divided. Proposes that there should be an extradition treaty with the United States, as well as laws to prevent the entrance of criminals. Considerations in respect to representation. "Niagara should "be incorporated as soon as possible were it only to preserve its name "in the King's Dominions. It is the policy of the United States to call "themselves solely Americans, not only with the view to melt down in "that general name every part of their confederation, but to enforce, "when time shall suit, their principle, that all colonies connected with

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"European Governments, or depending on them are foreign and invaders, "and that they themselves only are the natives." Calls attention to the terms of his instructions, which preclude him from granting lands without the reservation of mines, as being at variance with the Act establishing free and common socage, by which only mines of silver or gold can be reserved; asks for instructions. Requests that copies of the contract for the supply of masts by some persons in New Brunswick may be sent him, as it is represented that masts can be supplied from Upper Canada on as advantageous terms as those from New Brunswick. Doubts this but will ascertain, perhaps in person. Encloses resolution of Council giving to the Magistrates power over certain lands and making them responsible for the conduct of the settlers. This will discourage the ideas of the insurgents at Pittsburg that they will find countenance in this Province. Sends supplement to his report of the 1st of September. Page 164

Circular to persons appointed lieutenants of counties, defining their duties &c. 173

Resolution of the Executive Council, dated 6th November, 1794, respecting the settling of land. 176

December 22. Kingston.

Simcoe to Portland (No. 14). Sends report of the Indian Council held whilst he was at the Miamis. No assurance had been given of assistance beyond that contained in the instructions and speeches. The traders in order to conciliate the Indians, may have made promises, and officers not entrusted with particular duties towards them, could not be prevented from expressing their compassion for those unhappy nations. The hazard to the Province if the Indians are not reconciled to any change which may be necessary in respect to the barrier forts, especially Detroit and Michilimakinak. The construction of a fort at the Miamis and the fortifications at Niagara, have strengthened the belief that the barrier forts are not to be abandoned. On the other hand Wayne's advance and declaration augment the necessity of preventing ill consequences from the disaffection of the Indians. Has not learned the issue of the conference between Pickering and the Six Nations. McKee had offered the Western Indians an asylum and had visited the lands at the Chenail Ecarté and prepared the chiefs to meet him (Simcoe) in Spring. The lands near the mouth of the river are bad, but a few miles further up they are good and proper for an Indian settlement. At Michilimakinak the Indians have shown signs of discontent and have insulted an officer. Asks leave to promise Brant, that in event of his death, an allowance of £100 a year shall be made to his widow. The people of the United States have made Brant great offers, which he has refused with disdain; his loyalty and attachment to the King. He (Simcoe) had written to Dorchester on the subject of Brant, but had received no answer. Had promised absolutely some other pensions. Some of the departments may be managed by the commander-in-chief, the details being attended to by him (Simcoe), but the Indian Department cannot be entrusted out of the hands of the Governor on the spot, for the lives of all around depend on unwearied attention and the Province is at the stage to invite Indian rapacity. Hopes as many troops may be left in the Province as are now there, that he may with confidence undertake its defence. Has been informed by England at Detroit that troops are to be withdrawn. Hopes in carrying out the details of the treaty made with Jay that Pickering may not be employed in anything in which His Majesty's officers or government are concerned; his behaviour both in public and in private gave universal disgust to all ranks of people. He is much in the President's confidence and in principle a Jacobin. General Hull was, on the contrary, very acceptable and

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in 1783, when engaged in the intercourse between Haldimand and Baron Steuben, his behaviour was very satisfactory. Recommends Captain Stevenson of the 5th regiment to act on behalf of His Majesty. Being now in England he might be personally instructed on the subject. Is informed that the people of New York talk of claiming a part of Grande Isle (Wolfe Island) as being ceded to them by the treaty of 1783.

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December 23, Kingston. Simcoe to Portland (No. 15). Had written to Dorchester respecting Cartwright's opposition, but had not been answered. Had had to counteract the jealousy of Sir John Johnson, who had expected to be lieutenant governor and had been making promises of office. The idea of war has called forth the loyalty of the Province; believes there is no man he could more have depended on than Cartwright. Hopes to conciliate him and remove his hostility to the measures of Government that may be necessary for the public service. 217

December 29, Kingston. Same to King. Sends list of stores for the use of the Province. They are to be sent to Montreal. Those sent to Quebec consigned to the Commander-in-chief have not arrived in Upper Canada. 242

1795. Requisitions for stores for various departments. 244, 246, 249

January 8, Whitehall. Portland to Simcoe (No. 5). Dispatches received. Is happy to find that the treaty signed by Lord Grenville and Mr. Jay will reduce his measures to those for the internal regulation and security of Upper Canada and the continuation of intercourse with the Indians. Attention to the navigation of the lakes led to the selection of stations already approved of; their immediate occupation seems called for. Remarks on Turkey Point. Refers to previous letters respecting the Queen's Rangers. The importance of conciliating the affection of the Indians; the scope of the new treaty should be explained to them. All possible measures should be taken to mediate between the Indians and the American States. The posts to be held till the time fixed in the treaty; troops on both sides should be withdrawn and the fort at the Miamis destroyed. His speech to the Indians and letter to Hammond respecting Randolph's charges approved of. 2

January 22, Kingston. Simcoe to Portland (No. 16). Calls attention to the importance of establishing a principle for the application of income that may arise from the Crown Reserves, which is to be the same as that from the Clergy Reserves. His exertions to establish the British constitution in the Province and to show the greater advantages of a union with Great Britain over what can be offered by the various States. How he has endeavoured to foster the feeling of attachment to the British Constitution. The good effects of the system of granting Crown lands, which will impede the settlements from which danger to the Province is to be apprehended. The relief from taxation to be expected from the sales of Crown reserves. The oppression of attempting to raise taxes in a country situated like Upper Canada. Encloses copy of speech from White, a member of the Assembly of Pennsylvania, giving the reasons for the opposition of the Western Counties to the imposition of an internal tax on spirits made by themselves for their own consumption. The same reasons apply to the people of Upper Canada as against the imposition of internal taxation for which the Crown reservations were intended as a substitute. The general management of these has been stated in letter No. 17 to Dundas, but besides these he proposes to make specific appropriations for roads, for building inns or posts necessary for communications and the erection of a wharf at York. The sale of the reserves should defray these expenditures. Generally, however, the reserves should not be sold, but leased for as short a term as may be reasonable, at an annual rent. Asks if it would not be desirable to state

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to the next meeting of the Legislature, that the reserves are to be thus dealt with, so as to prevent the absolute grant of these lands to individuals; and that from the terms of a royal message, an Act might be passed to punish those infringing on the Crown reserves, to be extended to the protection also of those for the clergy. Suggests that the message might define the object to which the proceeds of the reserves are to be applied. Shall shortly give his views on the the subjects stated in a letter from the Bishop of Quebec to Dundas. Calls attention to the 46th clause of the Act constituting the Province, which reserves power to the Crown to regulate commerce so as to be for the benefit of the British Empire, and to the 47th clause that the produce of duties thus raised shall be applied by the Legislature of the Province. The discussion on these clauses in the Assembly, but no formal motion on the subject has been or will be introduced till the opinion of the King's Ministers can be obtained. For reasons given, believes that a statement of the amount of these duties should be laid before the Legislature, so that when expedient means may be taken for their repeal. Calls attention to the expediency of doing away with the reservation of mines on lands granted, except in the case of mines of silver and gold. The good effect that would arise from the system of supplying provisions to the King's troops and from the encouragement to the growth of hemp, which might develop into the manufacture of canvas for the lake marine. Page 220

Extract of letter from Dundas, dated 16th September, 1791, pointing out the purpose to which the proceeds of the Crown Reserves were to be applied. 233

Speech of White, member of the Assembly of Pensylvania, explaining the reasons for the riots in the Western Counties, in which whiskey had become the circulating medium owing to the want of corn. At the end an attack is made on the extravagant sums paid to officials (detailed) whilst the soldiers get only $3 a month. 234

January 23. Kingston. Simcoe to Portland (No. 17). Respecting the policy to be adopted towards the shipping on the Lakes. The system that may probably be adopted in the United States in this respect, &c. 253

Extract from the Act of 30th April, 1788, (Quebec) for regulating the inland navigation. 258

January 25. Upper Canada. Simcoe to King. Owing to the loss of a vessel with dispatches has sent duplicates. Presumes that attention has been directed to the formation of societies in the United States to encourage emigration from Scotland. 251

February 16. Upper Canada. Same to same. Suggests sending out such newspapers as may counteract the baneful effects of the newspapers of the United States disseminated in the Province with great industry. 267

February 17. Johnstown Same to Portland (No. 18). Thanks for recommending Major Shank's memorial. Did not understand that the augmentation or modification of the corps should be communicated to Lord Dorchester, the Queen's Rangers being appropriated for this Province. Had seen with regret the slow progress of the two Canadian battalions; is fully persuaded that the King's interests will be sacrificed if he does not possess himself of the establishments so unnecessarily procrastinated, nor does he wish to see the interests of the young gentlemen suffer, who preferred hardships incident to new countries, when they could have secured promotion in Europe. Refers to the proposal to establish the battalions of the 60th in Canada, opening promotion in them to the sons of the principal inhabitants, forming a closer connection with Great Britain and securing recruits to serve in the country. Is happy that his conduct in the correspondence with Randolph is approved of. The necessity in the settlement of disputes with the United States that the boundaries should

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be minutely defined. The reasons for his recommending McKee to be a member of the Executive Council. Page 269

February 17, Johnstown. Simcoe to Portland (No. 19.) Sends correspondence between him and Dorchester relative to Indian Affairs. Hopes that the commission to Sir John Johnson may be altered as proposed; there should be no unnecessary military government and the power of the Superintendent cannot be submitted to, with safety to the King's authority. The Lieutenant-Governor must be an officer in the confidence of His Majesty's Ministers; the Indian officers cannot on the other hand be trusted with unnecessary confidence. The distance of the Commander-in-Chief at Quebec renders it impossible for him to control the Department; hopes that in the system for future garrisons and stations proper regulations will be made for the Indian service, so that the people of the Province may be satisfied, as at present they charge the Indian Department with fomenting disputes for the purpose of self-consequence and wealth. Hopes that he will not be left with the regret that he only pointed out errors, instead of carrying into effect a regular arrangement. The alarm caused by the rumoured withdrawal from the posts; the remedy he has proposed. The ease with which an aristocracy could be formed, as compared with the giving of constitutional weight to the King's representative; the influence possessed by many as against the authority of a single person. From the influence secured by the disposal of offices of no moment, the power over all the inferior military employment should be vested in the person administering the Government of the Province, and no new power, such as the Indian Department, should be allowed to circumscribe his influence. The inhabitants naturally desire to obtain all the qualities and properties of the British Constitution, but the real and apparent independence of their first magistrate is considered by them by no means less necessary to promote the authority of the Crown, than to prove their own emancipation from the Province of Lower Canada and Military Government. 273

February 24, Johnstown. Same to same. His Grace's letter of the 26th November last received, but not that of the 19th, to which it refers. 259

February 24, Upper Canada. Littlehales to Sir John Temple. Frobisher has transmitted to Simcoe the Duke of Portland's letter as promised. Simcoe sends letter to be forwarded to Portland. 260

April 5, New York. Temple to King. Dispatches from Portland forwarded to Dorchester and Simcoe; duplicates and triplicates since received, also forwarded. The postage, £6 7s., he trusts will be repaid to his agent. 262

May 9, Whitehall. Portland to Simcoe (No. 6). Dispatches received and laid before the King. The conclusion of the treaty renders an answer to several unnecessary. With reference to the supply of stores, has no doubt that due attention will be paid to the providing of these to secure the influence which the executive authority should possess in the Upper Province. The recommendation of Colonel Campbell transmitted to the proper authorities. The temporary appointment of Russell as a puisne Judge approved of, as also the appointment of Gray to be Solicitor General. Is glad to see that the communication by Lake Simcoe to Lake Huron is likely to become soon settled, and that the harbour of Matchedash is equal to expectations. Dispatches relating to the commissariat transmitted to the Treasury. Laments the difficulties in the mode of providing supplies for Upper Canada. The commissariat is under the authority of the Commander-in-Chief, but when the interests of the Government of Upper Canada are concerned, Dorchester will listen to such representations from him (Simcoe), on the conduct of the commissariat as will tend to forward His Majesty's interest and those of the Province, which are inseparable. 263

LIEUT.-GOV. SIMCOE AND MISCELLANEOUS.—1795.

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1794. January 27, Quebec. Dorchester to Simcoe (extract). Defines what establishments are to be considered provincial. Page 507

(In Simcoe's No. 29 of 13th October, 1795.)

March 3, York. Simcoe to Dorchester (extract). Asks for directions as to the military arrangements for provincial establishments. 508

(In Simcoe's No. 29 of 13th October.)

April 14, Quebec. Dorchester to Simcoe (extract.) Answer to inquiry of 3rd March respecting the military arrangements for provincial establishments. 509

(In Simcoe's No. 29 of 13th October.)

July 22, New Orleans. Carondelet, Governor of Louisiana, to Simcoe (in French.) Had received at the beginning of July, his (Simcoe's) letter written on the 11th April at the Falls of the Miamis. His satisfaction with the marks of esteem for the Spanish Nation contained in that letter. Has no doubt their mutual interests will unite them in defence of their vast possessions in America. Has communicated his (Simcoe's) answer to his Sovereign and will receive with pleasure the contents of Dorchester's letter. Believes in case of rupture, that the Indians (named) are at his disposal and that they would co-operate with the Northern Indians, so that attacks could be made over an extent of country that the United States could not defend. How communication could be kept up. In case of an advance upon the confluence of the Mississippi and Missouri, a territory which has always belonged to Spain, he would have no hesitation in attacking the United States. Should the war in Europe extend to America, he hopes to make those repent who had drawn it there. 366

(In Simcoe's No. 21 of 17th February.)

October 25, Konondaigua. Proceedings at the Council with the Six Nations. Present: Colonel Pickering, four gentlemen of the Society of Quakers, who had come from Philadelphia to attend this treaty at the request of the chiefs at Buffalo Creek, other citizens of the United States, and the chiefs and others of the Six Nations. 409

(In Simcoe's No. 28 of 29th August, 1795.)

November 10, Detroit. Information of George Huffnogle respecting Fort Defiance confirmed by Edward Connolly. Huffnogle was an American, a sergeant in the 3rd U. S. regiment; Connolly was a corporal, born in Tyrone, Ireland. 304

(In Simcoe's No. 19 of 17th February, 1795.)

November 13, Sandusky. Isaac Williams, agent for the chiefs and warriors of Sandusky, to Adam Brown. The distressing situation of the Indians and no appearance of it mending, but rather getting worse. Had sent warriors to the American headquarters to know on what terms they would make peace. Shall daily pray that the chiefs may turn to good works, that the tribes may live in happiness once more. The disgrace they suffer to be obliged to be clothed and fed by the white men, as God had given them hands to work, understanding to walk by and lands to hunt upon. Asks him (Brown) to tell the Indians what he says; he speaks his sentiments as a true and faithful warrior to his countrymen the Indians. 322

(In Simcoe's No. 20 of 17th February.)

November 18, Swan Creek. McKee to Simcoe. Captain Johny, principal chief of the Shawanese, reports a conference held by La Plante, a Frenchman from the Raisin River, with him and other chiefs to draw them into an alliance with the French. 326

(In Simcoe's No. 20 of 17th February.)

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November. Substance of General Wayne's speech in answer to the message sent by Isaac Williams, junior, communicated by Zeans, who was one of the party. Page 319

Answer of Wyandots at Brown's town to Leatherlips, sent from Sandusky by Isaac Williams, junior, to inform them of the result of his message to General Wayne: "We can do nothing in this matter alone, "what we heard from our father and the Six Nations, shall be the rule "of our conduct, and we will do nothing but with the concurrence and "approbation of all the other Nations." 321

(In Simcoe's No. 20 of 17th February.)

December 3. Adam Brown to Williams. Is sorry that he (Williams) sent warriors to Whane (Wayne) without the consent of the chiefs and warriors; this was wrong, and the poor people will be brought into a scrape. Warns him and his people to take care. 324

(In Simcoe's No. 20 of 17th February.)

December 26. Quebec. Additional instructions for the Indian Department. 280

(In Simcoe's No. 19 of 17th February.)

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January 1, Greenville. Message by Wayne to the Indians at Sandusky. 361

(In Simcoe's No. 21 of 17th February.)

January 8, Quebec. Craigie to Dorchester. Objections to Simcoe's proposal for providing the supplies of flour required for the troops in Upper Canada. Proposes that this should be done by agents and sub-agents, unconnected with trade, dealing with the settlers. How the payments could be made and the accounts kept, if these are to be charged to the army contingencies, and the different system to be followed if the agent is to act under instructions from the Lieutenant Governor of Upper Canada, and expenses to be provided from other funds. The establishment of extra magazines for the supply of troops unnecessary; the system by which the supplies are obtained. 310

(In Simcoe's No. 20 of 17th February.)

January 21, Quebec. Dorchester to Simcoe (No. 27). Has ordered the early supply of provisions for the troops in Upper Canada, according to distribution enclosed. The commissaries are directed to receive into the King's stores the quantities mentioned therein from Davison's agent, or, in case of failure, from such agent as he (Simcoe) shall appoint. Pork, rice and butter to be sent from the King's stores in Quebec; the quantity that Upper Canada can furnish to be deducted. The purchase for the King's stores in a Province should be by agents appointed by the person administering the Government; those for the military line to be by requisition, and subject to the regulations of the Commander-in-Chief. 308

(In Simcoe's No. 20 of 17th February.)

January 21, Quebec. Dorchester to Simcoe (No. 28). Order to McKee to repair to Montreal has been repeated. He must report the reason for his delay. The Caughnawagas complain that their lands from Pointe au Baudet to Kingston have not been paid for. This and other business must be settled after McKee has informed himself of the case and of the rate of goods expected for the lands to be purchased; the goods to be got from Britain. In the absence of the Superintendent General, no other officer but the Deputy shall be employed to purchase Indian lands for the Crown. Copy of additional instructions enclosed. Two officers to attend meetings for the purchase of lands in Upper Canada, if he (Simcoe) cannot be present. Has heard nothing further of the defalcation of Indian stores at Niagara, nor of measures taken to bring the offender to justice. McKee will, no doubt, report on this when he arrives. 278

(In Simcoe's No. 19 of the 17th February).

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January 30, Johnstown.

Simcoe to Dorchester (No. 37). The appointment of Davison to supply the troops in Upper Canada under a contract from the victualling office, exonerates him from responsibility, and from the terms of the letter of Rose of the Treasury directing him to appoint an agent for purchases. The unnecessary degradation to him (Simcoe) in the eyes of the Assembly, caused by this change of system. The unimportance of the Commissariat in time of peace. Will not trouble His Lordship with a refutation of the Commissary General's remarks; will only interfere with the officers or commissaries at posts when the service renders it necessary. The necessity of withholding no power from the Lieutenant Governor that is required for the King's and the public interest. Page 316

(In Simcoe's No. 20 of 17th February.)

January 30, Johnstown.

Same to same (No. 38). The reason for the delay on the part of McKee to come to Quebec when ordered. Is surprised at the Caughnawagas claiming lands that have been settled by loyalists for ten years. It is not McKee but Butler who is deputy superintendent of Indian affairs, and to whom the blank deed of purchase should have been sent. He perfectly understands that it is in general improper to obtain goods from the merchants, but there are exceptional cases, which he points out where it would be prudent to do so. His Lordship having full information respecting the Western Indians, it is for him to determine whether the King's service will, or will not, suffer by McKee's absence from the Miamis. Is anxious to hear from Detroit and Niagara; augurs nothing satisfactory from the Indian councils. Will, as ordered, send two credible witnesses to be present at all purchases that Government may make from the Indians. Remarks on the defalcations in the Indian stores at Niagara, of which the Board sent a report and the store-keeper was dismissed, &c. Defence of Butler's management; his inability to control the issue of stores being due to the constitution of the department. Remarks on the additional instructions for the Indian Department. Has lately written to the Lords of Trade recommending a modification of the regulations. Will give additional reasons for proposing to Government such alterations as may lead to a uniform arrangement. 285

February 2, Johnstown.

Same to same (No. 39). Sends speech made by the Oswegatchie Indians in the presence of the principal gentlemen of this part of the country. The suspension of surveys in consequence of the desire of the Indians causes much expense. He had intended to run a road to the forks of the Rideau for the benefit of the Province and the establishment of settlements surveyed by His Lordship's orders in 1790 and 1791, a plan of which has become of record in this Province; he had intended personally to investigate the communication with the Ottawa, which for civil and military reasons must become of importance. Has for the present given up his idea of exploring. Lorimier thinks the Indians will be satisfied with some trifling presents, and has told Littlehales that two boat loads of goods and £100 currency, principally appropriated to building their church, would satisfy them. They have not, Lorimier says, received any presents for ten years; but acknowledged they got some when they went to Montreal. As McKee cannot reach here till May, recommends that some one else from the Department be employed. 292

Enclosed. Speech to Governor Simcoe at the Council of Indians of Oswegatchie, 2nd February. 295

(In Simcoe's No. 19 of 17th February.)

February 4, Johnstown.

Simcoe to Dorchester (No. 40). Sends papers relative to Indian matters. 298

Proceedings of Council at Buffalo Creek, on 11th December. Present: Butler, Chescaqua, a principal Seneca chief, with the chiefs of the Onondagas, Cayugas and a Delaware chief. 299

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February 17, Johnstown. Simcoe to Portland (No. 20). Sends papers which have passed between him and Dorchester respecting the commissariat. Sends also papers lately received from McKee relative to the Indian Nations, copies of which have been sent to Hammond. Page 306

February 18. Provisional agreement between the Provinces of Upper and Lower Canada. 462

Report of the Commissioners of Upper Canada on the proceedings with the Commissioners of Lower Canada for settling matters of revenue between the two Provinces. 466

Table accompanying report. 476

(In Simcoe's No. 27 of 22nd August.)

March 9. Kingston. Simcoe to Dorchester (No. 47). Complete reformation wanted in the Indian Department. The alteration made in the Government of Upper Canada implies that provision must be made for giving influence to the several branches of the legislature in the administration of public affairs. What powers should be held by the representative of the Sovereign (the lieutenant Governor). The evil effects of depriving him of the power incident to his station. The increased authority he should have as commander of the forces of the district. The necessity of his having control of the Indian Department, which cannot be directed personally by His Lordship from Quebec. Considerations (given at length) on the question of the administration of Indian affairs; the unpopularity of the Department arising from charges of peculation and from the belief that the officers foment ill-will between the Indians and the United States. The power over the Indian Department that ought to be exercised by the Legislature. The letter is thus closed: "I consider it" (the Indian Department) "to be an establishment, not only incompetent and dangerous as "far as concerns foreign nations; but to be too extensive in its objects, "and of too great a magnitude as it respects the internal affairs of this "Province, to be for a moment admitted to stand upon any footing "whatsoever, separate and independent of the control or superintend-"ence of the persons in whom His Majesty shall be pleased to confide the "government of Upper Canada. I, therefore, if it shall continue on its pres-"ent independent footing, declare that I consider the power and authority "of my station, requisite for the good Government and internal welfare "of the province of Upper Canada, to be materially and unnecessarily "weakened, but more especially, should it be permitted to remain in this "insecure situation, I beg not to be understood as responsible for the "continuance of peace with the Indian nations and as far as their in-"terests are implicated and interwoven with the subjects of the United "States." 341

(In Simcoe's No. 21, of 17th March.)

March 17. Kingston. Same to Portland (No. 21). Sends copy of letter to Dorchester respecting Indian affairs. Encloses copy of the speech by Wayne, and calls attention to the unjustifiable use made of Dorchester's communication. The Indians not satisfied with his (Simcoe's) speech, because it was not sufficiently hostile. Wayne's threat to approach Detroit and to place garrisons at Sandusky has made an impression on the minds of the Indians and disaffected Canadians. Hamtramck, a Canadian refugee, commanding at Fort Wayne, has assured the Canadians and Indians that the French are to occupy Detroit. It is not improbable that a rapid settlement of French emigrants may take place in that quarter. His endeavours to guard the Indians against French influence: the policy of the Americans, as proposed by Knox, to erect forts and trading posts, should be followed along the Thames, cutting off the dependence of the Indians on Detroit. The belief of the cession of the posts causes universal alarm. Sends a civil letter received from the Spanish Governor

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of Louisiana. His satisfaction at an extract from his letter concerning Colonel Campbell appearing in the *Gazette*. Report from McKee that the traders at Detroit, in spite of law, are supplying Wayne's posts; in the event of hostilities it is to be expected that the enemy will be supplied with arms and ammunition. Indeed, there would appear to be more enemies than friends in the country and, if steps are not speedily taken, there will be an end of all subordination, respect for the laws of the country, or the King's interest. The effect information of the supply from Detroit of the American troops will have on the Indians. If McKee's opinions are as stated, when necessaries are supplied to the American troops, what will they be when he learns that Detroit is to be given up. Page 335

May 1, London. Sir John Johnson to King. Sends extracts of letters from Thomas Aston Coffin on the subject of continuance of her husband's salary to Mrs. Claus, and on the subject of the appointment of Mr. Claus. The extracts are embodied in the letter. 512

May 4, Fort Miamis. Report by Captain Adye on Chatham, showing the advantages it possesses for ship building. 505

(In Simcoe's No. 29 of 13th October.)

May 11, London. Lawe to King. That he intends sailing by way of Bristol and offers to take charge of dispatches. 514

May 20, Whitehall. Portland to Simcoe (No. 7). The difficulties in dealing with the American States; his conduct in this respect approved of. The plan proposed of creating corporations and lieutenants for counties is not eligible in the present situation of Canada. The legislative power being given up, it is only through the executive power that the sway over the country can be exercised. How the creation of corporations and appointment of lieutenants may defeat this. The question of a similarity of institutions in the Mother Country and the colonies discussed. Has referred the statement respecting mines and minerals to the Lords of Trade. Has already written recommending steps to be taken to reconcile the Indians. Encloses copy of letter to Dorchester respecting the Crown Lands. The Crown Reserves may in course of time produce a fund that will go far towards supporting the expense of the executive branch of the Legislature; the good policy of preventing deterioration. Sees no objection to the Assembly being made acquainted with the amount and application of money raised by duties paid by the Province, thinks indeed that the whole expenditure, as well as the revenue, should be laid before the House, that it may be aware of the great disproportion between them and be impressed with the generous and liberal conduct of Great Britain for promoting the strength, wealth and general prosperity of the Province. If the commerce on the lakes gives the means to employ the vessels, they will of course continue in the hands of His Majesty's subjects; but if this can only be secured by purchasing the vessels on account of Government, it will be of little avail in retarding the navigation by the Americans. At the same time, sees no objection to his communicating with Lord Dorchester on the subject of purchasing some of the vessels proper and necessary for the use of Government. 328

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May 20, London. Lawe to King. If it is customary to allow travelling expenses to those carrying dispatches, shall feel thankful if he be considered. States his private circumstances, &c. 515

May 29, York. Simcoe to Portland (No. 22.) Dispatches received. Would have been happy to inform His Grace if any measures had been ordered by Dorchester to prepare for the evacuation of the posts. The occupation of York; constructing of a block house at Chatham and cutting the road to the Grand River, previous to the establishment on the Thames, are

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the preparations he has made for the settlement of the country and will facilitate the assuming of new posts. Refers to letters to Dundas for his views on the distribution of troops. Is sorry that the treaty with the United States had not been made public, as the Indians will imbibe false ideas of its terms, &c. The usual want of foresight on the part of the Indian Department has prevented the delivery of presents to the Indians. Has written Hammond in respect to the King's mediation between the Indians and United States, which he is persuaded the latter will not accept. Wayne will be assisted by the French of Detroit in making a treaty with the Western Indians. Earnestly calls attention to the necessity of having the boundary between the two countries settled in the minutest particular. The report that but for the success of the French democrats the British Cabinet would have attacked the United States, has done much to counteract the good effect of the treaty. Has stipulated with the Indians for the purchase of Penetanguishene to which the greater part of the fleet and garrison should be conveyed. Page 369

July 6. Speech by Simcoe on the opening of the Legislature of Upper Canada. 455

Schedule of the Acts passed in the fourth session of the Legislature. 458

(In Simcoe's No. 27 of 22nd August.)

July 28, Navy Hall. Simcoe to Portland (No. 23). Sends authenticated copies of the Acts of the first and second sessions of the Legislature of Upper Canada. 381

July 29, Navy Hall. Same to same (No. 24). Sends plans of the Province with project for Chatham, where Captain Adye reports vessels can be built cheaper than at Detroit. Sends also plans of reserves. 428

Map. 429*a*

July 30, Navy Hall. Same to Dorchester (No. 65). Understands that 300 troops of Pennsylvania are at Presqu'Isle to construct a fort at the entrance of the harbour. Proposes to visit the intended settlement near Long Point. Asks leave to send a detachment of the Queen's Rangers (100 rank and file); conceives Turkey Point to be the most eligible situation. Thinks no time should be lost in making preparations for this detachment. 390

(In Simcoe's No. 25 of 31st July.)

July 31, Navy Hall. Same to Portland (No. 25). Sends copy of letter to Dorchester relative to the occupation of a post in the vicinity of Long Point. His conviction of the necessity of military establishments preceding settlements, hence his withholding any settlements on the centre of Lake Erie. The treaty to be faithfully observed towards the United States, but the Magistracy must guard against the introduction of anarchical principles, which the citizens of the United States are trying industriously to disseminate. The appearance of supporting the Executive authority would prevent the necessity of using the substance. By this means the principles of subordination would be established, which would not be the case were the troops withdrawn at once. The preparations made by half pay officers at Long Point to leave it to rejoin the standard of the King on the late rumour of war between Great Britain and the United States. These officers with their followers will form a proper basis for the settlement at Long Point. He proposesto put Major Shaw in command of the troops and in general superintendence there. The possession of the treaty will enable him to explain to the Indians its liberality and justice. 386

August 3, Greenville. Treaty between the United States and the Wyandots, Delaware, Shawanoes, Ottawas, Chipewas, Potawatimes, Miamis, Eel River, Weeas and Kickapoos. (The spelling of the Indian names is given as in the

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original.) The treaty signed by Anthony Wayne on behalf of the United States. Page 484

(In Simcoe's No. 29 of the 13th October.)

August 17, Quebec. Dorchester to Simcoe (No. 35). Owing to changed conditions, he does not see the same objection to employ part of the Queen's Rangers in a civil capacity, but this must not interfere with the transport of military stores and provisions to the posts on and beyond the treaty line. 500

(In Simcoe's No. 29 of 13th October.)

August 19, Speech by Simcoe on proroguing the Legislature of Upper Canada. 459

August 21, Navy Hall. Simcoe to Portland (No. 26). Had written respecting the table of fees, which had not been enclosed. Had received extract from Dorchester and the Council, to avoid delay in making out the title deeds. Agreed to adopt the table of fees on the principles laid down in letter from Dundas on that subject and agreeably to His Grace's directions. Remarks on the question of fees. 430

Enclosed Resolution of Council on the 19th of July, 1793, respecting fees. 435

Statement of the Attorney General in regard to the proposed division of the fees. 437

Objections of Jarvis, Secretary to the Province, to the proposed division of fees. 441

Answer of the Attorney General. 444

Resolution of Council, dated 21st July, 1795, adopting the table of fees on land grants. 446

August 22, Navy Hall. Simcoe to King. Letter received covering an estimate of the civil establishment of Upper Canada. Had received also circular containing a form of prayers, &c., to be used throughout His Majesty's Dominions. 480

August 22, Navy Hall. Same to Portland (No. 27). Sends copy of speech at opening of the Legislature, copy of Acts and speech at prorogation. Remarks on the Acts. Transmits addresses. 451

August 29, Fort Erie. Same to same (No. 28). Having obtained a copy of the treaty, has delivered a speech to the Indians, which with their answer is enclosed. Sends also copy of Pickering's speech. Shall write more fully on his return from Long Point and the Grand River. Report received from Detroit that Wayne had made a treaty with the Western Indians. 392

Speech referred to, delivered by Simcoe to the Six Nations assembled at Fort Erie on the 28th August. 394

Answer by the Indians on the 29th August. 405

September 3, Whitehall. Portland to Simcoe (No. 8). On the Commissariat and Indian departments; is sorry for the want of concert with those departments. The delay in publishing the treaty is to be lamented. General councils with the Indians might avert the bad consequences. Asks that information regarding the encroachments by Americans on the posts may be sent to Hammond. 376

October 12, Navy Hall. Simcoe to Dorchester (No. 71). It seems probable that the treaty between the King and the United States will be completed at the time appointed; hopes that his system for blending the military and civil arrangements may be carried into effect. Shall in the meantime make no further civil arrangements, beyond encouraging the erection of saw and grist mills in the vicinity of Long Point and on the Thames. Sends sketch showing the position of proposed town, &c., at Long Point. Had come down the Grand River from the Indian village; describes the route and its advantages over the communication by Fort Erie. Sends also report by Captain Adye on Chatham, showing its advantages as a

1795.

naval building place, a report confirmed by Baker, assistant builder at Detroit. Page 502

Sketch of Long Point, &c. 504*a*

(In Simcoe's No. 29 of 13th October.)

August 13, Navy Hall. Simcoe to Portland (No. 29). Has received copy of treaty and of letter from Grenville to Hammond. Regrets he did not receive the dispatch sooner, as he might have carried the principles laid down in Grenville's letter into effect. Sends treaty between Wayne and the Western Indians which is not satisfactory to the Indians. McKee reports that Dorchester had only told him to assure the Western Indians in general terms of the King's good will, so that he (Simcoe) had declined to give any definite speech, but had sent a copy of that made to the Six Nations. Sends copy of the correspondence with Dorchester, by which it would be seen that His Lordship had taken no steps towards occupying new posts in room of those to be given up. Other correspondence enclosed. 481

October 24, Whitehall. Portland to Simcoe. Desires to know the course that would be taken by Kentucky and the Western Country of the Northern States in case of a rupture between Great Britain and Spain, which he sincerely trusts may not happen, but is too possible not to require preparation. Does not know whether the jealousy between Kentucky, &c., and Spain respecting the Mississippi still exists, so as to animate them to co-operate with Britain. Desires to be informed on the subject. How such co-operation can be secured without compromising the King. Refers simply to the assistance that may be obtained from the Southern and Western Indians. To try to obtain information and transmit chart, showing such parts of Lake Michigan as form or facilitate a communication with the Mississippi. 382

December 6, Whitehall. Same to Same (No. 9). Dispatches received. The idea of placing a small military detachment in the vicinity of Long Point for the support of the settlement is approved of. The gentlemen mentioned (p. 388) as desirous with their followers of settling there cannot fail to lay the best foundation of attachment to the Crown and constitution. His judicious conduct with the Indians in explaining the treaty also approved of, as this would no doubt remove embarrassment in giving up the posts. The speech of Pickering to the Indians is a strange and unjustifiable production, and has been properly taken notice of in his (Simcoe's) speech to the Six Nations, of the 28th August. A little excess in the usual presents to the Indians at this time is not to be regarded, but it is hoped that a system of economy may be established in his command for the distribution of Indian stores. 426

LIEUT. GOV. SIMCOE AND MISCELLANEOUS.—1796.

Q. 282-1.

July 23. Memorandum respecting the general state of landed property in Upper Canada delivered by Cartwright of the Legislative Council to Littlehales. Page 102

(In Simcoe's No. 34 of 22nd December.)

October 30, Navy Hall. Simcoe to Portland (No. 30.) His satisfaction at his conduct towards the United States being approved of. Long explanation respecting his plan for creating corporations and for appointing lieutenants in counties. The treaty with the United States will give that artful people great facilities in their attempting, what they look forward to with confidence, the alienation of the affections of the people of the Province from Great Britain. Is confident that if proper measures be taken such efforts will be vain. 6

1795.
November 5.
Quebec.

Dorchester to Simcoe (No. 39.) His satisfaction at the plans for the communication from Toronto and Lake La Claie (Simcoe) to the river La Tranche. His diligence will doubtless enable him to direct the settlements to advantage and towns may be expected to follow the population. His application on the subject of the establishment was unexpected, in particular that part respecting the approbation by Dundas, which was concise, general and unlimited. The tenour of the correspondence with Dundas gave him (Dorchester) reason to consider himself disengaged from the smallest interference, but if he must act it must be by his own judgment, or by precise orders from those in authority and shall, therefore, continue the present military communication till one more convenient and less expensive becomes practicable. As soon as the evacuation of the Upper posts takes place he shall order down the 5th, 24th and probably the detachment of the 60th regiment, leaving in Upper Canada the Queen's Rangers and so many of the Royal Artillery as may be necessary to take care of the Ordance Stores; 100 of the rangers to be stationed on the Detroit River opposite Isle Bois Blanc and about 100 on the British side of Niagara river. Shall recommend the former reserves of land to be kept free for military purposes. This will leave in the Upper Country (exclusive of Kingston) nearly the same troops as were there in 1786, when the unsettled state of things led him, at great expense, to strengthen these posts, to overawe those who threatened to insult all the upper posts; at present he trusts there is no cause for such jealousy, but that peace may be reasonably hoped for in that quarter. The complection of things "down this way" (Lower Canada) is very different and must continue so during the present war. Sends hasty sketch of what is proposed to enable the Commissary General to provide materials without delay. Orders will hereafter be given for carrying the arrangements into execution. Page 45

Enclosed. The statement of buildings &c. referred to as a sketch. 49
(In Simcoe's No. 33 of 9th December.)

November 8.
Navy Hall.

Simcoe to Portland (No. 31). The benefit of having mines, especially iron, worked in the Province. The rapids and falls of Niagara are particularly calculated for works necessary for this manufacture. Hopes that veins of iron may be discovered in the Province, similar to those on the other side. Explains the cause of the expense incurred in respect of Brant, without reference being first made to Dorchester. The Pennsylvanians were, at a trifling expense, prevented from occupying Presqu'Isle till the very rumour of war had blown over. Had for Brant's services promised to do the utmost for a pension to his widow should he die in the King's service. The differences between him and Dorchester as to the best means to serve the public interests. Thinks that neither Sir John Johnson in London, or his clerk in Montreal, can regulate the expenses, or political interests of the Indians, so well as the Government of Upper Canada on the spot. That the Executive council could superintend the Crown and Clergy reserves; represents, however, the inadequate number of the Council, as the sickness of a single member stops the whole business of the country. The want of a chief justice. The inadequacy of the salary of the Council to secure attendance in a country where a day labourer or a menial servant receives a Spanish dollar a day, and a merchant's clerk in due proportion. Not a single member of the Government can live on his salary; recommends that Captain McGill and Smith, Surveyor General, be added to the Council. Suggests that the Crown reserves should never be alienated from public purposes, and that the same rule should be followed in respect to the Clergy lands; the danger of attempting to levy tithes. The difficulty of obtaining assistance from the settlers for the Church of England,

1795.

owing to other churches having been built. Respecting the establishment of public schools. The importance of preserving the shipping on the Lakes. Murder of two men, a woman and a child, near Detroit by Indians; one man tried but acquitted. The United States profuse in their presents to the Six Nations. Page 18

November 9, Navy Hall. Simcoe to Portland (No. 32). Dispatch of 9th May received. Had recommended Mr. Gray to be Solicitor General; so that he could perfect his education. The death of his father, Major Gray, has prevented this. Recommends that Mrs. Gray, widow of the Major, receive a pension. 29

Memorial of Mrs. Gray. 31

November 9, Navy Hall. Simcoe to King. Has received copy of contract by the Commissioners of the navy for supplying the navy with American masts. 34

November 9. Report by D. W. Smith, Surveyor General, on the reserved lands of Upper Canada, with diagrams and plans for reserves in Lincoln, one showing those for Clergy and one for the Crown; plan in which both are combined in certain old townships in the Western district, with schedules and forms for the books of the Surveyor General's office respecting lands. 110 to 137

(In Simcoe's No. 34 of 22nd December.)

November 22, Queenston. Hamilton to Simcoe. From his anxiety respecting the deeds for lands, had taken the best advice, whilst he was in London. The enclosed contains the questions and the answers by William Grant, he having a sealed deed and a certificate before him. The only remedy to settle the irrregularities in relation to the reserves was to be obtained, he believed, from the British Parliament. Sends the original opinion. The caution he shall observe in relation to the proposed remedy. 96

Enclosed. Opinion by William Grant, dated in London 8th July, 1795, respecting the legal position of holders of land in Canada by certificate, &c. 98

(In Simcoe's No. 34 of 22nd December.)

November 27, Newark. White, Attorney General, to Simcoe. Had received a paper from Hamilton, of such a nature as must stay the issuing of deeds and keep the Province in an unsettled state. The opinion of Grant, that the certificates to settlers are not titles. The letter discusses at length the position of holders of land on certificates, bearing a conditional clause. How he had he dealt with these certificates; the clause respecting them by the Act of 1791 seems to indicate that they were regarded as in the nature of a grant. The words quoted and instances given of the practice in respect to the lands so held. How he would remedy this state of affairs. Submits a series of questions for the opinion of the law officers of the Crown. 66

Description of the deed given to William Gainfort. 81

(In Simcoe's No. 34 of 22nd December.)

November R. Hamilton to Littlehales. That the only way to prevent the threatened confusion, is to legalise the title to the lands in the hands of the *bona fide* possessors, where the right is clearly ascertained. The confusion that would arise were a door opened for asserting old claims. The power to assign under the old certificates; doubts if ten of the original settlers can be found on the spot they originally occupied, the transfers being sanctioned by the land boards. The policy of giving ease of transfer to property in land; the evils which would attend the setting aside of fair, honestly intended bargains in land; he, therefore, recommends the adoption of such a measure as is set forth in the memorandum subjoined. 91

(In Simcoe's No. 34 of 22nd December.)

December 1, York. Simcoe to Portland. For leave of absence on account of ill-health. Peter Russell, the senior councillor, the most suitable to administer the

1795.

Government. If leave cannot be granted, begs to resign his commission. Asks for a free passage for himself and family and that Littlehales have leave to accompany him. Page 39

December 1. York. Simcoe to King. Asks him to forward to Bond at Philadelphia, for transmission, a note of the determination of the King respecting his leave of absence, so that he may receive it as early as possible. 42

December 9. York. Same to Portland (No. 33). Sends letter received from Dorchester. Understands neither His Lordship's military nor civil views in respect to the Province, but as he has asked leave of absence he need not dilate on the situation in which he has been placed by His Lordship's letter. 43

December 9. York. Same to Dorchester (No. 79). Would have been proud of His Lordship's approbation for his public services, but at the very moment in which he is informed of the withdrawal of the King's troops and of those raised by him for internal service, he must confess that such observations appear unreasonable. Reminds His Lordship that stations for the King's troops, judiciously selected, is in his opinion the only basis on which towns will arise to the great benefit of the service. Is consoled with the knowledge that his having secured the fort of the Miamis had, in all human probability, averted war. Calls His Lordship's attention to letter of 3rd March, 1794, on the subject of the establishment, which was said in his (Dorchester's) late letter to be unexpected. He had paid implicit obedience to orders and to directions of Dundas as to the preparatory steps for the site fixed upon for London, but he is disappointed that the raising of the Canadian corps has not facilitated so necessary a measure. Is surprised at the distribution of the Queen's Rangers after His Lordship's letter of 17th August, as he must know perfectly for what purposes the Rangers were raised, and refers him to the correspondence on the subject, by which it would be seen that the choice of the officers had been left to him. Points out, in strong terms, the conditions made respecting the local force, intended to promote the vigorous and rapid prosperity of the Province, without which he would not have undertaken its government; the system he had proposed to adopt and which was approved by His Majesty's Ministers. His propositions do not shrink from discussion. States what were his military propositions; how he intended the distribution of troops to promote the settlement of the country. The injurious effect on the prosperity of the country that will be caused by the withdrawal of troops; it is his duty to represent this to His Lordship. Respecting reserves and the application from the merchants for land for wharves, &c.; recommends a revision of the Military Reserves. 53

(In Simcoe's No. 33 of 9th December).

December 15. Corfe Castle. Address congratulating the King on his escape from the late attack and praying that the prerogative may be exercised in order to obtain peace. 84

December 22. York. Simcoe to Portland (No. 34). Transmits papers relative to the difficulties of claimants for land in the Province, their unwillingness to transfer their certificates for title deeds. Opinion of Mr. Grant, obtained by Hamilton, a legislative councillor, whilst he was in England. The Attorney General has consulted the law officers of the Crown and sketched out a bill to remedy the evils complained of. Sends the documents on which he asks instructions before the meeting of the Legislature in May. Transmits documents from Hamilton and from Cartwright, with Hamilton's comments thereon. Sends report on the Crown and Clergy Reserves by the Surveyor General, with details of the work done in the office. Suggests that a clause should be added to the Attorney General's bill to make it obligatory on holders of certificates to exchange them

1795.

for title deeds. The boast of Hamilton that he could carry a bill through the Legislature to make certificates valid as title deeds. Page 62

December 22, York. Simcoe to Portland (No. 35). Transmits copy of letter to Dorchester respecting the Six Nations in the King's dominions. The evil effect of the withdrawal of the forces from Lake Huron, in respect to the Indians, to the prosperity of the Province and to relations with the United States. Hopes to have Yonge Street completed this winter. 138

December 22, York. Same to Dorchester (No. 80). Never wished Jones to be employed except as an interpreter; their communications confidential and personal, when Jones proposed to dispose of his lands on the Genesee. Hopes that some arrangement will soon be made with the Grand River Indians. Had informed Brant that he would not interfere; all transactions must pass through Butler. Brant's unjustifiable language respecting McKee. The withdrawal of the King's troops will destroy all confidence in the King's power among the Indian nations outside of the dominions, and those within will become troublesome and presumptuous, especially at the Grand River, to the prevention of regular and promotion of dangerous settlement, for the great country between Lake Erie, the Grand River and the Thames is too happily adapted for settlement to remain uncultivated. His Lordship had not sent instructions relative to the murderer —Brant's son. It was fortunate that the murderer was killed in attacking his father. It is necessary, previous to the withdrawal of the troops, that the Indian agent should make terms with the chiefs for the delivery of all murderers, particularly as Brant had with contempt refused the deed for the lands on the Grand River and had renewed the obsolete custom of covering the grave of the murdered person. Brant's views of setting up an Indian interest separate from the control of the King's servants. The object of having the seat of Government and the station of the principal body of troops on the Thames; a strong settlement at Long Point would separate the Mohawks on the Grand River from the other nations and prevent Brant's design of making the Six Nations a barrier between the British and the Western Indians. Brant has gone to visit the Superintendent of the Indians in the United States; on his return the intention to give his wife a pension shall be communicated to him. This may secure his fidelity. Brant's desires that Norton may be an interpreter of the Grand River Indians. 140

(In Simcoe's No. 35 of 22nd December).

December 30, York. Same to Portland (No. 36). Dispatches received. Had explained to the Indians the favourable situation in which they are placed by the treaty of peace and prepared their minds for the evacuation of the posts. The people of the States who meant to settle at Oswegatchie have not persisted. Wayne still remains at Grenville and has not executed his threat of advancing within the limits of the posts. 155

1796. January 6, Whitehall. Portland to Simcoe (No. 10). Dispatches received. The care to be taken in making grants of land, as affecting the value of reserves &c. Remarks on the table of fees on land grants. Sends the table adopted by the Council of Lower Canada and copy of letter to Dorchester of 6th September last. Is pleased at the good understanding between him and the two Houses. Has already approved of the occupation of Long Point. The settlement at that and other places should take place with as little delay as possible. 1

January Whitehall. Same to Same. Sends copy of letter to Dorchester, with copies of dispatches from Grenville to Bond respecting the settlement of certain points with the United States before the actual evacuation of the posts. 5

February 1, York. Simcoe to Portland. Sends additional clause to the Clergy Reserve Bill. 167

Additions made to the Clergy Reserve Bill. 168

1796. February 27, York.

Simcoe to Portland. (No. 37). Dorchester to leave on the arrival of Prescott, expected early in spring. Is, therefore, surprised at the order to hasten the temporary buildings on the banks of Niagara and on the defenceless situation opposite Bois Blanc. These works will create an expenditure equal at least to what would amply fortify York and Long Point. Dorchester has sent a deed to be offered to Brant and the Six Nations entitling them to lease their lands on the Grand River. The steps he shall take to carry this into execution. The late Chief Justice Osgoode thought such a power to lease incompatible with the laws of England. Has given information to the officers of the Civil Government that York is to be the Seat of Government for the present. How he proposes to erect Government buildings. S[illegible] Seat of Government be transferred to the Thames, the proper[illegible] buildings and ground at York can be sold to lessen or liquidate th[illegible]ns expended on their construction. The Legislature will meet at Niagara on the 7th May, but he proposes to dissolve the House of Assembly before the fort is evacuated. The road from York to the head waters of Lake Huron has been opened by the soldiers; an excellent tract of land has been opened to settlement and communication to the post of Penetanguishene or Gloucester, to take the place of Michilimakinak. The occupation of the three defensible harbours of York, Long Point and Gloucester appears to him to be the wisest and most necessary measure that under every civil and military view can possibly take place for the present or future benefit of the Province.

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March 3, Whitehall.

Portland to Simcoe. Dispatches laid before the King. Lieutenants being appointed for the counties in Upper Canada, it would not be advisable to set them aside. The objection was not to the appointment of lieutenants, but to the multiplying of offices difficult to control. The advantage of working iron mines. Brant to be assured that provision will be made for his widow. A Chief Justice to be appointed to arrive in good time. The King approves of the appointment of Captain McGill and Mr. Smith to the Council, to be without salary till vacancies occur. Respecting the pension to Mrs. Gray, recommended in letter No. 32. 35

April 9, Whitehall.

Same to Same. (No. 12). Dispatches laid before the King. Is sorry his state of health requires so long a relaxation, especially under the existing circumstances. However, the King being confident of his attachment to the service, grants leave of absence should his state of health when he receives this dispatch still continue such as to require the leave. Russell to assume the Government on his departure. The question of the legal difficulties respecting land certificates has been submitted to the law officers of the Crown. Hopes to notify the appointment of a Chief Justice by the frigate "Quebec," which carries out Prescott, appointed Lieutenant Governor of Lower Canada and returns with Dorchester and his suite. 146

April 19, Whitehall.

Same to same (No. 13). Appointment of Elmsley to be Chief Justice of Upper Canada; his character. He will be obliged to defer his departure till the sailing of the next fleet. 150

April 22, Whitehall.

Same to same (No. 14). Sends opinion of the law officers of the Crown, respecting the difficulties which have arisen in regard to the land certificates granted previous to the passing of the Canada Act. Clauses to be added as proposed by the Attorney General of the Province; remarks on the changes proposed. Points out the use of the word clergyman for clergy in a form for reserves transmitted in the Attorney General's letter. Presumes it is a clerical error, but the effect of its being inserted would be serious. 151

1796.
May 13, Navy Hall. Simcoe to Portland. Dispatches received. Page 172

May 16, Navy Hall. Same to Same (No. 38). Sends proceedings of the Executive Council on State matters from 8th July, 1792, to 4th November, 1794, and on waste lands from 17th July, 1792, to the 6th November, 1794. 174

8th July, 1792. Minutes of meetings at Kingston, 8th July, 1792. Proclamation that Dorchester is appointed Governor General of Upper and Lower Canada, and Simcoe Lieut Governor of Upper Canada, read and Simcoe takes the prescribed oaths. 175

Minutes 9th July. Executive Councillors, Osgoode, Baby and Russell take the oaths and their seats. Littlehales appointed Clerk of the Council, and Jarvis, the Secretary of the Council, take the oaths. Instructions read (embodied in minutes in full). 177

Proclamation ordered for continuing judges and other civil officers in their employments. 198

Minutes 10th July. Militia returns laid before the Council, which proceeded to divide the Province into Counties to provide for representation. 198

Minutes 11th July. Grant took the oaths and his seat as a member of the Executive Council. The division of the Province resumed. 199

Minutes 12th July. Division of the Province continued. 199

Minutes 13th July. Same business resumed. 200

Minutes 14th July. Division continued. 200

to 18th May, Minutes, Sunday, 15th July. Division concluded; proclamation to bring it into effect ordered; as also a proclamation to call together a legislature. 200

Minutes 16th July. Writs of summons to the Legislative Council issued to the following: William Osgoode, Chief Justice; James Baby, Richard Duncan, William Robertson, Robert Hamilton, Richard Cartwright, jun, John Munro, Alexander Grant, Peter Russell. 201

Edward Burns took the oath as Clerk of the Crown, &c. 201

Richard Pollard and Alexander McDonell took the oaths as Sheriffs. 201

Minutes 21st July. Additional proclamation issued respecting the continuation of civil officers in judicial and ministerial employments. 202

Minutes, Navy Hall, 29th September. Appointment of Rev. John Stewart, (Stuart), as commissary for the Bishop of Nova Scotia; decided that under this commission he cannot issue matrimonial licenses. 202

Minutes, Sunday, 21st October. Petition from the Home district for an annual fair at Newark, and another for a weekly market at Newark. Proclamation agreed to be issued for the annual fair asked for. 206

Minutes, 24th November. Agreed that the table of fees in use in Nova Scotia should be adopted in Upper Canada *pro tempore*, that the Secretary of State be informed and that correspondence on the subject be entered into with the lieutenant governors of Nova Scotia and Lower Canada. 209

1793. Minutes, Sunday, 3rd February 1793. Accounts laid before the Council and examined. 210

Minutes 21st March. Depositions that a negro girl was violently carried off and sold by one Fromand to a person in the United States, and that many others mean to do the same with their negroes. The Attorney General ordered to prosecute. 212

Minutes 18th May. John Small admitted to the office of clerk of the Council. 214

Forms of service transmitted by the Bishop of Nova Scotia, adopted by the Council and a proclamation ordered, authorizing their use in the Province. The forms of prayer are embodied in the minutes. 215

13th July, Minutes 13th July. Loan asked for by the House of Assembly from the Lieutenant Governor to pay salaries, the Assembly to be responsible for the amount. The total amount of salaries and stationery for the House was £191.5. The loan granted. Page 221

Minutes of Committee 19th July. Table of fees from Nova Scotia received and considered, adopted, except as respects land fees, which were considered too high; correspondence ordered with the Clerk of the Council of Lower Canada respecting the land fees in force there; the fees on Commissions of the Peace to be paid out of the assessments of the several districts; those on commissions yielding emolument to be paid by the grantees; the fee on Indian grant of 1st April to be suspended till the table of land fees be adopted. 223

Accounts examined. Receiver General's; Surveyor General's; Lieutenant Governor's office; contingencies of the Clerk of the Crown and Common Pleas; Attorney General's; Contingencies of the Council Office; and of the Secretary and Registrar of the Province. 224 to 227

Minutes 27th May, 1794. In consequence of the establishment of district Land Boards the fees of the Clerk of the Council were greatly reduced. Ordered, that, by himself and deputies, he execute the office of clerk to the Land Boards. 228

Minutes, 11th June. The Lieutenant Governor desires to establish a Supreme Court of Judicature, which he wishes to be established by the Legislature, although empowered to do so himself. The Chief Justice had prepared a bill for the purpose, which was to be brought into the Upper House that day. 229

Minutes, 14th June. Ordered that the deputy surveyors be put upon the same footing as those in Lower Canada. 230

1793, to 4th Minutes, 21st June. Æneas Shaw admitted to a seat in the Council. 231

Deposition by Sergeant Thomas Lawson, respecting smuggling by a party of men; reward offered by the Council for their apprehension. 231

Minutes, 27th June. Memorial of Peter Russell, Receiver General, for an allowance of £100 for rent and a clerk, granted; of John Small, Clerk of the Council, for clerical assistance; granted. 235

Accounts examined. Receiver General's; Attorney General's; Clerk of the Crown's; Contingencies of the Lieutenant Governor's office; Secretary and Registrar's; of the Chief Justice for travelling expenses in the Eastern district; of Lieutenant Pilkington, Engineer's department, (details given); and of contingencies of the Council. Petition of Richard Pollard sheriff of the Western district, for the consideration of sums expended in the discharge of his duties, referred to the magistrates, who are entitled to discharge such demands from the district assessments. 236 to 241

Minutes, 28th June. Alexander McDonell took the oaths of office as Sheriff of the Home district. 241

Minutes, 6th July. Table of fees agreed on by the Council. 242

Minutes of Committee, 6th September. Examination of the public accounts of the Province. The total amount for each department, &c., is given, specifying what is Halifax currency and what is sterling. 244

Nov. 1794. Minutes, 4th November. Proclamation to prevent the carrying overland of rum and other spirituous liquors to be sold amongst the Indians. 246

Richard Barnes Tickell sworn as a confidential clerk to the Council. 246

Minutes concerning Waste Lands of the Crown.

17th July, 1792. Minutes, 17th July, 1792. Copies of proclamations of 7th February and 9th July, 1792, ordered to be circulated among the Land Boards,

and an answer to be sent to a letter from the Land Board of Hesse.

18th July, Minutes, 18th July. Business of the Land Boards resumed; petitions considered. Page 247

Minutes, 20th July. Leave granted to Peter Smith of the town of Kingston, to build wharves, storehouses, &c. 248

Minutes, Navy Hall, 29th September. Respecting land in the district of Nassau, evidence given by John Butler and by Walter Butler Shehan, clerk of the Land Board. 249

Minutes, 6th October. Petitions presented. 249

Minutes, 13th October. Arrival of loyalists anxious to settle. Surveys ordered. 250 to 253

Minutes, 15th October. Plans of the reservations of two-seventh parts of all future grants of townships produced, one selected and approved of. 253

Minutes, 16th October. Memorials laid before the Board. 255

Minutes, 17th October. The case of Sally Ainse, for lands of which she had been deprived on the River La Tranche, considered and eight lots ordered for her in the first township, so as to cover her improvements. 255

Report of the Land Board Department of the late district of Hesse considered and the following resolution adopted: "That the petition of "the trustees of Caldwell and Elliot and of Pollard and Consors be dis-"missed, as their claims are for lands usurped under Indian purchase, "grant or cession, which are of no validity whatever, on the contrary, "the subject who presumes to claim right on such tenure is not only 1792, to 8th "guilty of a misdemeanour, but acts in apparent defiance to all authority "and repeated orders, to the prevention of such traffic." 257

For other petitions see alphabetical list. 258

Minutes, 19th October. Petitions, see alphabetical list. 258 to 264

Minutes, 20th October. Plan of Cornwall (late New Johnstown) presented. Orders given to remove encroachments on the streets and roads laid down on the plan and to punish those who are guilty of trespass, &c. 265 to 267

For petitioners see alphabetical list. 267

Sub-division of the four Land Boards to facilitate the business of the Land Granting Department. The divisions are given with the names of the members of each County Board. They are:—Counties of Glengarry and Stormont; Dundas; Grenville and Leeds; the Land Board of the late district of Mecklenburg to be limited to the County of Frontenac; and the Counties of Lenox, Addington, Hastings and Prince Edward; the Land Board of the late district of Nassau to be limited to the County of Lincoln; the Land Board of the late district of Hesse to be limited to the Counties of Essex and Kent. 271

Minutes, 21st October. Circular letter to be written to the several members of the Land Boards in the Province. (Circular given at length.) 274

Minutes, 24th November and 31st December. See Alphabetical list. 277, 278

Minutes, 1st January, 1793. Report submitted of a Committee on the claims of Indians on the Grand River, for lands assigned to them on 24th December, 1791; grant ordered. 278

Jan. 1793. Minutes, 8th January. Alexander Harrow, Captain, for land adjoining Captain Bird's farm, at the mouth of the Detroit river; refused, the land being reserved for Government. Papers respecting a tract of land ceded by the Indians to their officers in the year 1784, produced by Captain Caldwell; resolved that a township, to be called Malden, be

laid out at the mouth of the Detroit river. (The boundaries are given.) The marsh was given by the Council of Lower Canada to the sons of Captain Caldwell. Pages 279 to 281

17th January, Minutes, 17th January. Joshua Pell, an American loyalist, found entitled to provisions, clothing, family lands, implements of husbandry, &c., agreeably to the certificate signed by Mr. Motz. 281

Minutes, 2nd February. Steps to be taken to have regular grants of land made to persons entitled thereto. 282

Minutes, 17th March. Report of the Land Board of Dundas laid over. For petitioners see Alphabetical list. 282 to 284

Minutes 22nd March. For petitioners for townships, see alphabetical list. 285

Minutes 23rd March. See alphabetical list. 286 to 289

Minutes 1st April. Application by Colonel John Butler, for lands for Captains John, Isaac and Aaron, three Mohawk Chiefs of the Bay of Quinté, in the same proportion as lands to other captains; granted. Report by D. W. Smith (in full) respecting lands reserved for the Mohawk Indians on the Bay of Quinté. 289 to 291

1793, to 17th Minutes, 13th April. Instructions, on a representation from the Boards, that the Land Boards make a scrutiny into the characters of those applying for lands and refuse to grant certificates to people known to be disloyal. Report from the Land Board of Dundas considered and instructions sent. 291 to 293

Minutes, 16th April. Richard Cartwright, Junior, for leave to build a store on the water lot opposite his town lot, and also to include in the grant part of the beach indicated in his petition; granted. Joshua Hatheway, of Vermont, for one or more townships for self and associates; not granted as he does not propose being an inhabitant of the Province. Report from the Magistrates, &c., of the Home district, respecting ferries on the Niagara river, referred to the Receiver General. Robert Kerr, John Ferguson, William Johnson, James Vanhorne and associates for a township to the southward of the river Trent; granted. Resolved that the restrictions on the use of mill sites be removed and that all proprietors having conveniences for the erection of mills are authorized to make

May, 1794. use of them, provided they do not prejudice the navigation or obstruct the passage of fish in the waters, and that permission does not extend to the river above or below the Falls of Niagara, forming the military communication between Lake Erie and Lake Ontario reserved for the Crown. 293 to 296

For other petitioners *see* Alphabetical list

Minutes 18th May.	"	297
Minutes 24th May.	"	299
Minutes 25th May.	"	301, 302
Minutes 30th May.	"	303, 304
Minutes 8th June.	"	305 to 307
Minutes 15th June.	"	308 to 310
Minutes 10th July.	"	322 to 329
Minutes 22nd June.	"	316 to 321
Minutes 11th July.	"	329 to 339
Minutes 13th July.	"	339 to 341

Minutes 23rd July. Letter from D. W. Smith, Surveyor General, for extra help, given in full. For petitioners *see* alphabetical list. 341 to 348

Minutes, 24th July. *See* alphabetical list. 348, 349

Minutes, 17th May, 1794. " 349, 350

1796. June 22, Whitehall. Portland to Simcoe (No. 15). Application from the Bishop of Quebec for four clergymen to be sent to Upper Canada, each to be paid a salary of £150 a year. This is exclusive of Addison, now at Niagara. Cannot

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admit this exception, as Niagara must shortly be given up, and Addison should be one of the four clergymen. Thinks £100 enough with the addition that may be made by the Society for the Propagation of the Gospel, and contributions from their parishioners. Shall propose addition of £400 in the estimates for Upper Canada, until the Church or Glebe lands shall become productive. Shall notify the Society and endeavour to procure suitable clergymen. Chief Justice Elmsley will be accompanied by a clergyman of independent means and most respectable character, who is recommended to his (Simcoe's) attention. The sum of £500 has been granted in the last and this year's estimates towards building churches as an incitement to the inhabitants. Thinks no further grant should be applied for until these sums have been so disposed of. The allowances given for the support of the clergy are to be considered as temporary, the colony being entitled to make a suitable provision, the parishes to devise means of providing for their own clergy, until the church lands become sufficiently productive. All idea of tithes being abandoned, means should be adopted to provide a suitable maintenance for the clergy. Respecting school masters and their qualifications. With regard to a public school, where Greek, Latin and other branches may be taught, thinks that in the present state of Upper Canada, Quebec or Montreal would offer themselves as suitable places. There is a very good seminary of this kind in Nova Scotia. The contents of this letter to be communicated to the Bishop of Quebec, with whom measures are to be concerted for carrying out the objects discussed. Page 157

(The alphabetical list of petitioners for lands in volumes Q 282—1 and 282-2, is at the end of the latter.

LIEUT.-GOV. SIMCOE AND MISCELLANEOUS—1796.

Q. 282—2.

February 14, Niagara.

Willcocks to Portland. Refers to a previous letter. Sailed on the 10th of May last from Cork and arrived on the 15th of July with 33 settlers for Whitby, but they were all gradually seduced from him as they came through the State of New York. The folly of bringing settlers by that route. By Quebec, Montreal and the St. Lawrence is the only secure way; he would employ his son and other trusty persons to conduct settlers. Intends to settle his family at York, and occasionally reside in his township, where he shall build in the course of the year. Asks for some mark of the Royal favour; his services in 1793 and 1794 in keeping the peace in the south of Ireland, and refers by name to leading men who can vouch for this. Had for upwards of 20 years been a member of the council of the City of Cork. (Signed, as formerly, Mayor of the City of Cork.) Page 618

March 1, Upper Canada.

William Dummer Powell to King. Asks that his claims to be Chief Justice of Upper Canada, vacant by the removal of Osgoode, be represented to the Duke of Portland. 613

April 1, London.

Lieut.-Col. Stevenson to Portland. Encloses copy of letter to Dundas, respecting military proposals, in event of the cession of the posts, he having been quarter master general with Simcoe. Had been corrected for sending the plan to Dundas, on the ground that it was not a measure connected with an existing war. The plan originated with Sir H. Clinton, who had desired his son last year to present it to the Duke of York, who approved of it and sent it to Dundas. He did not, however, think it a proper time to bring it forward, as the cession of the posts had been determined upon. The Marquis of Buckingham had desired him (Stevenson) to renew his proposals. Asks for an answer as soon

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possible, so that if the plan were adopted he might write to the different depots he proposed to establish, if not, that he might write to Simcoe what steps had been taken and the result. Page 604

Enclosed. Stevenson to Dundas. Proposal to raise a black legion of 1,000 men from the coasts of America, and the back of Virginia and Pennsylvania, which might be the means of strength to the West Indian Army from Nova Scotia, and be the foundation of an important force. His experience, which enables him to suggest the plan. He proposes eight companies and four troops, and gives the numbers of officers, the conditions of recruiting, armament, etc. How officers in existing regiments could be induced to join the proposed corps. In what manner the men of the corps were to be employed. If approved of the plan would be sent to the Duke of York, to be officially communicated. 607

April 4, Quebec. Dorchester to Simcoe (No. 48). Is sorry that the intended distribution of troops does not meet his approbation. The present posture of affairs would condemn incurring expense, or leaving troops in Upper Canada, to increase the growth and prosperity of the colony. The impolicy of placing so many troops out of the way and the enormous abuses in the public expenditure for twenty years are not the only objections to this mode of encouraging settlements. The principle itself is erroneous, as evinced by the improvement in provinces where neither extraordinary expenses were incurred, nor troops were employed for civil purposes. Has no intention of authorizing permanent works of great expense, but reserves of land should be made at every place likely to become of consequence, where they may be required for public purposes. This was the scheme recommended after the close of the American war. Sketch enclosed of a scheme of reserves for the site of Toronto or York. The adjutant general will send preparatory orders for the distribution of the troops after the evacuation of the posts; although no mention is made of any troops to be left but the Queen's Rangers, part of the Canadian volunteers will probably be sent. 469

(In Simcoe's No. 41 of 18th June).

May 13, Lincoln's Inn. Elmsley to King. Had been making preparations for departure, and is ready to go at a moment's notice, but as the business of the courts in Upper Canada would be over before he could arrive, desired to wait to attend the courts in London, but would await a decision on this point. 616

May 16, Navy Hall. Continuation of Minutes of Council on Crown Lands forwarded with letter from Simcoe to Portland (No. 38).

20th May to Minutes, 20th May, 1794. 351, 352

Order sent to the Land Board of the Home District to send return of all grants made since its establishment and to know the reason why no return has yet been made. Proceedings of the Land Board of Essex and Kent, from 25th May to 25th December, 1792, read. 351

For applicants *see* alphabetical list.

Minutes 24th May. 353 to 361

Resolution of the Council to remove trespassers on Crown Lands and to prevent irregularities. Report read of the Land Board of Grenville and Leeds from 17th September, 1793 to the 1st of April, 1794.

See alphabetical list.

Minutes 27th May. 361 to 368

Minutes 31st May, *see* alphabetical list. 368 to 370

3rd June, 1794. Minutes 3rd June. Inhabitants near the landing for a road to the Four Mile Creek; *see* alphabetical list. 370 to 377

7th June to

Minutes 7th June, *see* alphabetical list. Pages 377 to 383
Minutes 10th June, " " 384 to 386
Minutes 14th June, " " 386 to 395
Minutes 21st June, " " 396 to 399
Minutes 28th June, " " 399 to 416
Minutes 8th July, " " 417 to 427
Minutes 9th July, " " Grant made to Governor Simcoe of 5000 acres as Colonel of the late Queen's Rangers. The town of York to be built according to a plan laid before Council, and each person receiving a town lot to build a house within three years or forfeit the land. 427 to 430
Minutes 15th July, *see* alphabetical list. 430 to 439
Minutes 4th November. do 439 to 448
Minutes 5th November. Considered the propriety of discontinuing the land boards. 448

6th Nov., 1794.

Minutes, 6th November. Resolution to discontinue the land boards; rules for receiving and disposing of petitions for lands; conditions on which they are granted, &c. 449 to 453

1795. May 17, Navy Hall.

Simcoe to Portland (No. 39). Duplicate received, of 24th October, 1795. (See No. 28 in Q. 281—2, p. 382 respecting the course that would be taken by Kentucky in event of a war between Great Britain and Spain). The source of his information stopped; thinks it would not be difficult to raise a regiment from Vermont. Refers to letter No. 24 to Dundas respecting factory. (This letter is partly in cypher; No. 24 deals with defensive operations, &c. Q. 280—1, p. 178.) Has no knowledge of Kentucky far less what is beyond, but what is theoretical. Had pointed out the improvidence of not taking post on Lake Huron; a sergeant's party, to be commanded by an officer, has been sent by the Commander-in-Chief to take post on the island of St. Joseph. Cannot understand Dorchester's idea, as according to Charlevoix, St. Joseph's is within the United States treaty line. Hopes to be able to lay this and other views personally before His Grace. 454

May 20, Navy Hall.

Same to Dorchester (No. 91). Has only to obey His Lordship's orders as Commander-in-Chief, from a military point of view. Enumerates the proposals he had made to check the "enormous abuses" to use His Lordship's words, but which had not met with his approbation. Represents that no former abuses should occasion the public to cast an averted eye on the Province, the most valuable of His Majesty's foreign possessions. Does not admit that it is an erroneous principle to promote the growth of a colony by the proper disposition of troops. Is in ignorance as to the principle on which the new buildings at Navy Hall are to be constructed, and asks instructions as to the reserves proposed to be leased in that vicinity. The military reserves at York, &c., will be properly secured to the Crown. Refers to previous letter on the civil reserve. Desires to know the strength of the detachment of the Canadian volunteers and where it is to be posted. Asks for power to send 50 or 100 men to Penetanguishene. Expresses surprise that His Lordship is not actuated by military principles in the distribution of the troops; regrets that the raising of Canadian troops has not effected the objects intended by the ministry. Had he known that all his views as to the public service were held to be erroneous and to be be checked, he could not have held office. 472

(In Simcoe's No. 41, of 18th June.)

May 23, Navy Hall.

Simcoe to Portland (No. 40). Has nothing to add to former communications respecting the necessity of ascertaining the boundaries between His Majesty's dominions and those of the United States, so far as they concern the islands on the lakes and in the straits. The importance

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of the selection of a surveyor to have the boundaries settled amicably and according to justice; recommends Lieutenant Pilkington, of the Royal Engineers, who, with two good surveyors, should execute the office honourably and satisfactorily. Page 459

June 18, York. Simcoe to Portland (No. 41). Letters received. His plans as to Long Point frustrated. Is happy that his conduct towards the Indians has been approved of, but Dorchester has not enabled him to further the interests of the King and province as specified by His Grace. The principle laid down by His Grace to have the reserves of equal value with other lands has been observed. The Council shall attend to the table of fees; it is desirable that they should be alike in all the provinces; the difference between the table of fees sent by Dorchester to him (Simcoe) and to His Grace. Complains of the Indian Department under Dorchester's direction, it is his "public duty to observe that in the civil "administration of this Government, I have no confidence whatsoever in "any assistance from Lord Dorchester." Desires, therefore, to know from His Grace, what measures are taking in Lower Canada to relieve the public of the charges incident to the survey of land, that the same thing may be done in his (Simcoe's) Government. Had frequently solicited this from Quebec, but until the 21st May last, had received no document on the subject. The expenses incurred in his Government for surveys had been for the execution of the orders of Dorchester and his Council. Shall direct attention to the question of profit from the sale of Crown lands, but had no confidence in the plan suggested to His Grace. Discusses and condemns Dorchester's economical ideas, as contrary to the real principle of public saving; had his system not been counteracted, there would now be several thousands spared in the public expenditure. The address on the marriage of the Prince of Wales. The measures to be taken to occupy stations after the evacuation of the posts; regrets that Dorchester does not seem to consider means to show the confidence placed in him (Simcoe) by His Grace in this matter. In the present state of Europe and America, the support of the Province would seem necessary, and a powerful addition to the British Empire by nursing up a great people, and seems to him every hour to be more desirable. It depends on His Majesty's Ministers either to do this or to adopt the erroneous principles and limited ideas of Dorchester, which would certainly retard the prosperity of the Province and probably permit it to moulder away into insignificance and ruin. 461

Table of land fees (Lower Canada), as settled in Council on the 19th August, 1795. 468

June 20, York. Simcoe to Portland (No. 42). His pleasure at having leave to continue lieutenants of counties. It may be useful to assure Brant of the King's intentions towards his widow, should he die in the service; he is not so respectful as he ought to be, probably from inefficiency in the Indian Department. The appointment of a chief justice to be ardently wished for; the convenience of appointing a puisne judge. The satisfactory arrangement by which he can call Mr. Smith and Mr. McGill to the Executive Council. Is anxious for his leave of absence. Has written to the Commander-in-Chief respecting Mrs. Gray. 477

June 20, York. Same to same (No. 43). Sends Acts of the Legislature, copy of his speech, and the addresses of both Houses. There was no disposition in either House to oppose the measures of Government, but petitions from the Eastern District for the repeal of the Marriage Law, were in very unbecoming terms; the agitation respecting this law. The petitions signed by men who should act otherwise. The attack on the National clergy (Church of England) to be resisted; all classes of dissenters professedly joined under the indeterminate name of Presbyterians. Their

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next attempt will probably be on the sevenths set apart for the National Clergy. Page 480

Enclosed. Speech by the Lieutenant-Governor on opening the Legislature of Upper Canada (16th May). 487

Address, 17th May, by the Legislative Council in reply. 490

Same by the Assembly. 493

Speech in proroguing the House. 496

Representation of grievances in respect to the Marriage law by the Presbyterians of Grenville, 27th March. 499

Opinion by White, Attorney General, that the power on the part of the Bishop of Quebec to grant to dissenting Ministers in Upper Canada, the right to solemnise marriages, depends on the terms of his commission and the nature of his instructions. 504

June 22, York. Simcoe to King. Has received circular and *Gazette* of 9th January announcing the birth of a daughter to the Prince and Princess of Wales (Princess Charlotte). Had also received estimate of the charge for defraying the civil establishment for Upper Canada. 507

July 18, York. Same to Russell. Leaves copy of private instructions to Dorchester and of his commission. Sends also confidential letter from Portland. Has recommended Lieutenant Pilkington, Royal Engineer, to His Grace, as proper to ascertain the boundary line. Sends extract from letter from the Secretary at War, to show his situation in relation to the officer commanding the Kings troops in the Province. 564

July 19, York. Russell to Simcoe. Acknowledges receipt of letter and enclosures. His grateful sense of the honour done him, and concern at the cause which removes His Excellency from immediate superintendence. Accepts with diffidence, but shall do his best to administer faithfully. 567

(In Russell's to Portland of 6th August).

July 20, York. Simcoe to Portland (No. 44). Sends proceedings of the Executive Council. The Council, it will be seen, had abrogated the clause making Government bear the expense of surveying, which will in future be thrown on the settlers. Sends abstract of proceedings relative to Crown Lands. The proclamation was a counter part of that issued in Lower Canada, Chief Justice Smith understood the reserves were made in blocks. How applications were dealt with; grants of townships annulled from failure in complying with the conditions; apprehends that this will be the result in most of the townships granted. The effect of large grants to those trying to obtain settlers. The bad effect of large grants to those now coming in, on the minds of the men of the Provincial corps, who were chiefly substantial farmers. The bad policy of grants to "leaders," who seek settlers indescriminately among people not to be trusted, whilst the labouring man may by his industry become in a short time a respectable farmer, and a good subject. Recommends that in particular intances some of the civil branch of the Government might be placed, as respects land, on the same footing as the military. His endeavours to prevent the land jobbing which prevails in the United States, from President Washington, now advertising his land as the cream of the country, to the lowest adventurer, a trade which resembles the Mississippi scheme. The energy of the companies to secure settlers and to prevent any from going to Upper Canada, by vilifying His Majesty's subjects and trying by every means to render the Government odious. Dorchester's measures of withdrawing the King's forces and dismantling the naval force have alarmed the inhabitants of Upper Canada with fear of an Indian war and will, without doubt, be sufficiently expatiated on by the rulers of the United States, as a strong ground to prevent emigrants from their country settling in Upper Canada. No lands can, therefore, be sold now for the public

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benefit, as they must be sold below their value. His expectation (with reasons) for a rise in the value of land. Strongly recommends the erection of a university. The quit rents of the crown have been relinquished in Upper Canada; would it not be judicious to reserve them in future grants, the proceeds to be used for provincial purposes; this would form also a distinction between the original loyalist and future settler; gratifying to the former and not unjust to the latter. Page 508

Minutes of Executive Council of 27th June. David William Smith sworn in as an Executive Councillor. Reference and report on land fees, with detailed tables. 520

Minutes, 29th June. Report on the proposal to charge the grantees of land with the cost of survey, and on the suggestion that a fund might be raised from the land to be expended in defraying the public expenses of the Province; the committee suggest in preference the sale from time to time of lots of land for this latter purpose. The appointment of Land Boards suspended, grants to be made by the Governor-in-Council. 525

Report by Council (9th July) on land fees. 531

Explanation of search and assignment in the offices of the Surveyor General. 533

Proclamation to those desirous to settle on Crown Lands in Upper Canada. 535

The same in French. 540

Extracts from Council meetings in Quebec in 1788 and other documents relating to land. 545 to 558

July 21, Upper Canada.

W. Dummer Powell to Portland. The singular situation of the land holder in Upper Canada. The paper drawn by Cartwright and a proposed Bill, to remedy the condition, have been sent His Grace. The perplexities of the infant colony. A million sterling has been expended on the land, which is unsecured, although the land holders believed they held a real estate, and so held by the courts of the country, except in the one over which he presided, which latter view was confirmed by the Crown lawyers in England. His exclusion from the Council leaves him few opportunities to suggest measures for the improvement of the Province. His advice to authorize land fees by legislation, and not by proclamation, has been adopted by Simcoe, but the proposed Bill was rejected; sends the documents on the subject. Hopes that nothing will be found in the principle or mode of the measure unbecoming a subject whose loyalty is not the less for wishing that His Majesty's servants should not commit the prerogative to the hazard of resistance without power to enforce it. Expresses the wish that His Grace could command a view of both sides of such local topics. 621

Enclosed. Draught of a Bill relating to the transfers, &c., of land. 625

Memoir in support of the Bill proposed for relief of land holders on transfers in Upper Canada. 630

Memoranda on the proposed proclamation to restrain the proof of being United Empire loyalists, to any given period. 635

Draught of a Bill for distinguishing U. E. loyalists. 638

W. Dummer Powell to Simcoe, 17th May, covering the draught of two Bills. 641

Correspondence with W. Dummer Powell, from 23rd May to 20th July, respecting the exemption of U. E. loyalists from fees. 643 to 653

Memorandum on the consultation by the Lieutenant-Governor in Council, 28th July, 1795, on exemption from fees on land grants. 654

Summary of the rise, progress and actual situation of the settlement in Upper Canada. 658

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Proclamation, dated 6th April, 1796, that the U. E. loyalists are to furnish proof of their being so at the next Michaelmas term. Page 669.

Memoir in support of the petition prepared by William Dummer Powell for an additional grant of lands in Upper Canada. 672

The petition for family lands follows. 678

July 26, Upper Canada. W. Dummer Powell to King. The appointment of Elmsley is an answer to the question in his letter of March last. Submits a statement in reference to Simcoe's conduct towards him. 682

August 3, Whitehall. Portland to Simcoe (No. 16). Dispatches laid before the King. As there will probably be a personal communication, calls attention only to the proposed additional clause to the Clergy Reserve Bill, which would extend conditions to grants to be made hereafter to townships settled before the Canada Act, although it is only meant to remove difficulties in respect to grants made before the passage of that act. 457

August 6, Niagara. Peter Russell to Portland. Simcoe returned to Europe; he (Russell) is administering the affairs of the Province. Sends schedule of documents left with him, also copy of Simcoe's letter and answer. All the posts on the American side of the line given up, except Niagara, held by a small detachment from the 5th regiment, till the Garrison should arrive from Oswego, nor have the United States yet taken possession of Michilimakinak. Has ordered a return of the troops left after the 5th and 24th leave. Simcoe no doubt would inform His Grace that the Legislature had been dissolved and new writs issued; will not convene the Houses till next June, unless in case of necessity, as he hopes before then to resign his charge to Simcoe. 559

Schedule of papers referred to. 562

August 8, Niagara. Russell to Prescott (No. 1). Reports his appointment as administrator. Is not aware of the arrangement between Simcoe and Dorchester; if there is anything to carry out, asks that it be communicated. York to be the temporary seat of Government; as soon as he can get a house and the other officers can arrange, he proposes to make that town his residence. York lies out of the usual track of vessels navigating the Lake, is afraid, therefore, that the communication with Kingston may be tardy and precarious, unless the "Catherine" and "Sophia," gun boats, are placed under his orders, for intercourse with posts on the Ontario. The officer in command of the troops will, of course, report to His Excellency; will not trouble him, therefore, with observations on the military requirements. Asks for the sum of £2,500 sterling for the expenses of civil government. 569

August 8, Niagara. Russell's circular to lieutenants of counties. Communicates his appointment as administrator. To take steps to carry out the militia law; to fill up vacancies and to send a return of the officers of each battalion. If the office of deputy lieutenant vacant, to name a fit person and send the name for approval. To send return of each battalion of militia in the county; also of Protestant churches built and how served. Magistrates to be appointed and names sent for approval. The state of the prisons to be reported; one sufficient gaol should be built in each district. 574

(In Russell's No. 2 of 20th August).

August 20, Niagara. Russell to Portland (No. 2). Shall lay the bill sent in letter No. 14 before the Legislature next session, and submit the letter of the Law Officers to the Law Officers in Canada. The fort at Niagara transferred to the United States on the 11th; guard of the 5th Regiment left in it has sailed for Quebec. Sends report by Shanks of the state and distribution of troops under his orders, with copies of letters to Prescott and to the lieutenants of counties. 572

(The report by Shanks is in Q. 283, p. 4).

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August 29
Quebec.

Simcoe to Portland. His gratitude for kind expressions towards him. Would not have left but for his assurance that peace was secured by the treaty. His disappointment at the sailing of the "Pearl," which with the loss of the "Active" will compel him to wait the arrival of the autumn convoy. Has received information of the appointment of Elmsley to be Chief Justice of Upper Canada; hopes the detention will afford an opportunity to make his acquaintance. Page 577

August—
Whitehall.

Portland to Simcoe. To be prepared for defence, in case of war with Spain. 506

August 29.
Niagara.

Russell to Prescott. Points out, which can be confirmed by Major Doyle, the bad effect of the sudden withdrawal of troops from Upper Canada. The discontent among the Indians; the unfavourable ideas they will entertain from seeing Michilimakinak occupied by a large American force and only a very young officer and 12 men in the post opposite; should insult once begin, there is no saying where it may end. In fact, Major Doyle thinks Ensign Brown and his small party are in serious dangers from the temper of the Indians. The Queen's Rangers too few for the duties; they are thinly officered and fatal desertions may be expected. As stated already, York is to be the seat of Government, but it is isolated from want of roads; it has no gaol, no houses for the meetings of the Legislature, Courts of Justice, or offices for the departments. It was on the Queen's Rangers they depended for assistance in raising buildings, making bridges, cutting roads, &c. The detachments taken by Lord Dorchester reduced the force to 100 men, and Shank has called for 30 men to transport the Indian stores; cannot refuse this, but everything at York must be at a stand. Had suggested to Shank to draw the 30 men from Kingston, where there are two companies of Canadian Volunteers and no material duties. Shank does not feel himself at liberty to do so. 580

September 22.
Niagara.

Same to Simcoe. His concern at his (Simcoe's) long detention at Quebec. Refers to copies sent of letters to Portland and Prescott. Is at a loss to know what to do about the land at the Grand River, claimed by the Indians, as he does not know what promises were made to Brant, who has lately applied for deeds to subjects of the United States, some being officers in their army, to whom he had sold considerable tracts. His fears as to the effect of giving deeds of land to bodies of aliens, who in the heart of the country might throw it open to their countrymen. Has evaded signing the deeds till he shall get an answer from the Secretary of State. Cannot prevent Brant from settling these people in his own way, except at the risk of an Indian, perhaps of an American, war; accounts received that the Creeks have sent a hatchet to the Hurons and other tribes, inviting them to war against the Americans. The sickly state of the place; York less so. The servants almost all down, and no artificers to be had to forward buildings at York. The illness of the Surveyor General prevents him from attending Council. Major Shaw and Captain McGill sent for. Personal messages. 583

November 2,
London.

Colonel W. Tatham to King. Had hoped to have heard of the result of business in Simcoe's hands, which shows more liberal views towards the British Government than those of private gain. His letter to Hammond of 5th October shows that he had sent: "an invention of "machinery for ascending Niagara without locks; a plan for settling and "organizing towns in safety in any part of the territory; a publication "to show the intererest in having conciliatory measures on the lakes, "and the advantage to cultivators here (Britain) over any of the "American schemes," of which he encloses a map. States his services at the Spanish Court for which he was dismissed from that kingdom; refers to the confidence he had with the Prince of

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Peace, which it would be to abandon in dishonour should he betray it. Had sacrificed the friendship of a King and his ministers on that score, but he had a wilderness to return to, thank God, "where the savage "Indian and caverned bear are blessed with more benignity towards "their consanguinial alliance, and where the rites of common "hospitality, if not better understood, are at least in superior practice." Statement of the bold language he had used at the Spanish Court, his services and the opinions he had held during the American Revolutionary War, &c. Page 684

Map referred to of part of Georgia, exhibiting the land purchased of the State by General Gunn and others. 689*a*

November 7, Memorandum by Tatham to Simcoe, respecting the capture by Indians of five children of Joseph Johnson on the 15th of May, 1789, when his wife and three children were killed. (A note endorsed says: "Mr. "Russell to direct the Indian superintendent of Upper Canada to procure "these children.") 690

November 10, London. Simcoe to Portland. The necessity of having the Queen's Rangers re-assembled at York, for the performance of the Provincial duties for which the corps was raised, under the direct control of the Governor; trusts that directions may be given to keep a regiment, at least, to garrison the posts on the frontiers. 589

November 23, Tatham to King. General political reflections on the system to be adopted towards Upper Canada; the effect of Simcoe's appointment to St. Domingo, and of the reduction of the West Indies; the fallacy of relying for co-operation with Upper Canada on Kentucky and the countries south of the Ohio, as they would rather support the French in settling Louisiana. Sends a list of maps, which he is making arrangements with Arrowsmith to publish, for which he asks the patronage of Government. Calls attention to the plan for the ascent of Niagara and asks for the return of certain papers. List of maps attached to letter. 693

November 24, London. Simcoe to same. Services of Mr. Costa. Respecting the regulations on the Lake; a new system is proposed in consequence of the transfer of the posts. 587

November 28, London. Same to Portland. Presses for the augmentation of the Queen's Rangers; that brevet Major Shank be lieutenant-colonel, brevet Major Smith to be Major and other officers successively promoted. 591

November 28, London. Same to same. Recommends Mr. McGill to be appointed a member of the Legislative Council. Would have proposed David Smith also, but hopes he may be elected to the Assembly. 593

December 1, London. Same to same. Asks for instructions as to the admission of American vessels to St. Domingo. Suggests that only small vessels be allowed, except as a temporary measure, and only when larger vessels take in provisions and lumber. 595

December 3, London. Proposals by Simcoe to Portland for the augmentation of the Queen's Rangers to 1000 rank and file (present strength 346), and to have a troop of cavalry taken from, or attached to the corps. The promotions recommended. 597

December 11, London. Simcoe to Portland. Suggests the employment of Graham, an American gentleman, to ascertain in France the purpose for which the arms lately stopped were intended. The invasion of Canada by a French fleet would be a matter of little hazard (to France), as a small body of troops getting above Quebec would lead the whole Province into open rebellion or secret support. Had always believed that a body of troops equal to those at Quebec, should be stationed at Montreal, to overawe the French peasantry between the two places. The risk of an invasion from Lake Champlain. The importance of a force equal to the others

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in Upper Canada, to which the Indians might coalesce and the loyal rally. It seems impossible that the jealous Government of France would permit such a quantity of arms to leave without some urgent reason, presumably hostility against Great Britain. Is it intended to combine in an attack on Canada? Or only to furnish the disaffected Canadians with arms? Or, from promises of support from the Vermontese, who always declare the St. Lawrence should be open to them? It would be well to employ Graham to ascertain these points. Allen (Ira) should be treated with civility; he is most mercenary, but his and Vermont's interest is to be connected with Great Britain by the St. Lawrence and by the cutting of the canal for which he is so anxious, and which would be of great benefit to Canada. Page 599

December 13, Whitehall. Portland to Russell. Sends sign manual of an instrument for calling McGill to the Legislative Council of Upper Canada. 602

December 27, London. Stevenson to King. Calls attention to his proposal to raise a black legion (see letter to Dundas 1st April, p. 607). Simcoe's favourable opinion of the plan. 608

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1796. August 1, Niagara. State of the troops in the Province of Upper Canada, signed by David Shank, Major Commanding. Page 4

August 8, Niagara. Russell to Prescott. A duplicate. See Q. 282-2, p. 569. 5

August 8, Niagara. Circular by Russell to Lieutenants of Counties. A duplicate. See Q. 282-2, p. 574. 8

(The Counties to which the circular was sent were Lincoln, Dundas, Glengary, Frontenac, Kent, Prince Edward, Stormont, Essex, Grenville, Lennox, Addington and Leeds.)

August 20, Niagara. Russell to Portland (No. 2). A duplicate. See Q. 282-2, p. 572. 2

September 26, Niagara. John White, Attorney General, to Russell. On the demands of the Six Nations for deeds, so as to enable them to transfer lands to purchasers. The method he proposed to get rid of the difficulty, at first agreed to by the Indians, but he learns that they have since changed their minds. 18

September 28, Upper Canada. Russell to Portland (No. 3). Sends copy of letter written to Prescott on 29th August. Apprehensions as to the safety of Ensign Brown and his party removed, by Prescott having sent a captain and 42 men of the Canadian Volunteers to St. Joseph. The regular force is, however, still inadequate to the service. Applications made by Brant to the Attorney General for deeds to subjects of the United States, some of them officers in their army. Had delayed signing any deeds which would convey the land to aliens. Does not know the terms of Haldimand's gift, but does not think it his duty to allow considerable bodies of aliens to obtain

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property in the very heart of the country, who could introduce any number of their countrymen should they design to capture the country. Should Brant persist there is no way of preventing him. Sends opinion of the Attorney General on the subject. Page 12

(For enclosure Russell to Prescott of 29th August, see Q. 282-2, p. 580.)

October 19, Upper Canada. Russell to Portland (No. 4). Transmits petition from Jarvis, Registrar, for an increase to his fees for registering deeds of land. The Council has in the meantime allowed him to charge £40 a year for a clerk. Minute of proceedings sent with petition. 22

The petition. 24

Minutes of Council. 26

October 19, Upper Canada. Russell to King. Dispatches addressed to Simcoe received. 28

November 5, Quebec. Dr. Mervin Nooth to Dr. Keats. The Canadians, encouraged by the appearance of the French on the coasts, have dared to oppose the law. The 4th and 26th regiments, with artillery, are on the march to Montreal to quell the spirit of revolt excited by inflammatory papers circulated by the French ambassador. Nothing serious is to be apprehended from the Canadians, nor from Richery's fleet, but from the vagabond Frenchmen who crowd the new States, and who may take advantage of the relaxation of law, expected during the election of a new President, and assemble on the frontiers in such force as to encourage the Canadians to join in their realizing the dreams of the natural rights of man. Adet promises the Canadians every kind of assistance to shake off the "despotic yoke of Britain." Peace is therefore uncertain, and the medical line is badly prepared for the event. Does not despair of getting medicine this Fall, but shall send requisition at the opening of navigation. Sends returns of the sick; the troops are healthy, but the medical gentlemen in the upper posts are fully employed by the smallpox patients among the Indians. They were too much afraid of smallpox to allow of inoculation, but they are now coming in crowds to the posts for the operation. 309

November 13, Montreal. Extract from a letter, communicated by Brickwood. The advantage the cession of the posts will produce to British commerce. Wayne, with a garrison of 500 at Detroit, is trying to conciliate every description of persons; he expressed himself pleased with the conduct of Great Britain on evacuating the posts, and particularly with that of Colonel England. The building of a fort by the British on an island in the Detroit River may cause disagreement. 312

November 14, Niagara. Russell to Portland (No. 5). Referring to dispatches respecting the demand of the Five Nations for deeds to confirm sales of certain parts of their lands. Had called a meeting of Council to consider the subject, but owing to sickness and the late season, the meeting could not take place till Spring. Transmits copies of documents relating to the grant, &c. The names submitted, of those for whom grants are asked, are those of British subjects, and therefore less objectionable than the persons spoken of before. Is anxious for the arrival of the Chief Justice, for reasons stated. 29

Copy of deed by Haldimand, dated 25th October, 1784. 33

Copy of letter from Secretary Motz to Sir John Johnson, dated 9th May, 1791, that Haldimand's promise to the Indians was to be carried into execution. 35

Extract of letter from Dorchester to Chew, dated 15th February, 1796, that the regranting of the lands to the Indians is in the hands of the civil government, which being now separated, Dorchester has no con-

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cern with, but holds that all lands given by Haldimand should be made good. Page 37

Russell to Brant, dated 22nd October, that deeds shall be given to persons named by the Indians, but as this must be done in concurrence with Council, asks that the proposals of the Indians be put in writing. 38

Brant to Russell, 24th October. The desire of the Indians to secure an annuity, and for this purpose they wish to dispose of four townships. Will get a regular power of attorney from the Nations. 40

Description by D. W. S., 25th October, of part of the Six Nation land to the northward of Dundas street, with names of persons to whom they are to be sold. 42

Power of attorney to Joseph Brant by the Five Nations to sell part of their lands, dated 2nd November. 44

December 31, Upper Canada.

Russell to Portland (No. 6). Letters for Simcoe received. Arrival of Elmsley; had laid before him letter No. 14 with enclosures for consideration, also papers respecting the leasing of the Crown and Clergy Reserves, so that the opinion of the Law Officers may be laid before Council. Has been unable to transmit the annual state of the militia and population, for reasons given. Believes it will be necessary to amend the Militia Act, and to make alterations in the county and township boundary lines, before the population can be ascertained with precision. 54

1797. January 28, West Niagara

Russell to Portland (No. 7). Refers to previous letters concerning the lands of the Five Nations on the Grand River. Impatient at the delay of the meeting of Council, they have sold lands without waiting for the King's sanction and accuse the Lieutenant Governor of breach of faith. Sends copy of speech, which was not communicated till the 25th, although delivered on the 24th of November last. Report from Justice Powell that Brant had boasted of his power over the Militia and had insulted the Administrator; had sent after Powell, on his way to Europe, to learn on what he founded the latter statement. In consequence of the speech referred to had called together the councillors present, and invited Brant to attend. Report in full of what took place at the meeting. His (Russell's) desire to carry out Simcoe's promises, but he doubts the policy of complying with the wishes of the Five Nations. The deed given by Haldimand "clearly permits them only to live on "this land, they and their posterity for ever; consequently the property "as well as the sovereignty of it still remains in the King, and I humbly "conceive it would be no less than a breach of my oath to confirm the "power which the Five Nations claim of transferring this right to others, "until I shall receive His Majesty's permission to do so." Further considerations respecting the grant of the lands. Calls attention to the danger arising from the officers of the Indian Department conceiving themselves not only under no obligation to communicate their transactions with Indians to the civil Governors, but as even liable to reprehension for doing so. Has not seen the instructions, but gives instances of the danger to which the Province might be subjected by this condition of affairs. A speech of a dangerous nature was delivered at an Indian Council, in presence of the Superintendent of Indian affairs, the officer commanding the troops, two other military officers and two officers of the department, in which the Executive Government was held up to contempt, yet the speech was kept concealed and suffered to work its baneful effects on the Indian passions for two months before any one gave him (Russell) the smallest hint of it. 57

Enclosed. Speech from Claus referred to, delivered at Newark, 24th November, 1796. 72

1797.

Explanation by Brant annexed to the copy of his speech brought by Chew on the 30th January, 1797. Page 83

Answer by Claus to Brant's speech on the 24th November. 85

Note from Powell to Russell, dated 3rd January, 1797, with two memoranda respecting the Indians and their claims, and respecting Brant. 86 to 96

Note from Powell to Russell, dated 5th January, explaining certain of his statements in a previous memorandum. 97

February 1, West Niagara — Russell to King. Is forwarding dispatches by New York, with part for Simcoe. The loss by fire of a house he was building at York, and the difficulty of having houses built by the officers of Government there, from various causes, will obstruct the measure of removing the seat of Government to York. Its isolated situation, from bad roads and being out of the course of navigation, despairs of finding accommodation for the members of the Legislature; he is anxious to carry out Simcoe's desire in respect to York, and hopes to have some commands on the subject by the winter express. 99

February 2, Newark. — Elmsley to Russell. Urges the suspension of the order for the of removal of the courts of justice to York, till His Majesty's pleasure be known. The town of York is 40 miles beyond the most remote settlements at the head of the lakes and the road to it through a country belonging to the Missisaugas. There is neither gaol nor court house; no accommodation for grand or petty juries; none for the suitors, the witnesses or the bar and very indifferent for the judges, so that those attending must remain in the open air or crowded in tents, or huts. Many of the jurors have to travel 60 or 80 miles and be absent from home not less than ten days; so that the question of a fine will have no effect as against the expense, loss of time, fatigue, &c., in coming. Does not expect to be able to form a jury at York. Any interruption to the course of justice will be very pernicious at present. Urges that there should be no change made, unless there are express commands from the King, or weightier reasons than those he has suggested. 117

(In Russell's No. 9, of 26th February.)

February 24, West Niagara — Russell to Portland (No. 8). Transmits address from the justices of the peace for the Home District, for salary to Rev. Mr. Addison. Recommends that the prayer of the address be complied with. The Protestant church at Kingston is the only regular one belonging to the Church of England in the Province. Asks leave to have churches built at Newark, York, Cornwall and the chief town in the Western District. 104

Address follows. 107

February 26, West Niagara — Russell to Portland (No. 9). Dispatches addressed to Simcoe received; a proclamation issued, warning the inhabitants to guard against the Spaniards. Had ordered by proclamation the meeting of the Legislature at York; delay caused by the burning of his house; had ordered another to be run up with all expedition. Fears of the chief justice that juries cannot be obtained from the paucity of the inhabitants; formally, asks for delay in the removal to York; does not consider himself justified in making a change in the arrangements. The heavy expense caused to the officers of Government by the removal, yet it is his duty to acknowledge the suitableness of York. Its advantages stated. The want of roads, of farms to feed the people and of vessels to bring supplies. How these defects mey be remedied. 111

February 26, Upper Canada. — Same to same. Sends copy of a memoir of Smith, acting Surveyor General, respecting the promises from Simcoe. Smith sends it owing to a report that Simcoe has gone to the West Indies, and that his claims may, in the hurry, not have been brought forward. 121

1797.

Note from Chief Justice Elmsley, enclosing memorial from D. W. Smith, acting Surveyor General for Upper Canada. Page 123

The memorial referred to. 125

February 26, Upper Canada. Russell to Portland (No. 10). Encloses requisition for stationery for the Surveying Department. 137

Requisition. 138

March 10, Whitehall. Portland to Russell. Had anticipated his desire on the subject of the force in Upper Canada, by writing to Prescott recommending his attending to the circumstances of the evacuation of the posts and the effect on the minds of the Indians. The question of the proposed transfer of lands by the Indians. To learn the amount of annuity they expect from the persons with whom they are in negotiation, so that Government may consider the question of substituting an annuity in lieu of the lands. The wisdom of having provided against alienation. The petition of Jarvis shall be attended to. 50

April 18, Upper Canada. Russell to Portland. For an increase to the grant of land to the Chief Justice and to the Executive Councillors, now restricted to 1,200 acres. The dearness of all articles of consumption; the impossibility of official incomes doing more than cover expenses; the necessity of maintaining a respectable appearance and the fortunes made by men in trade are given as reasons for the request. 256

May 6, London. Dummer Powell to King. Gratitute for services rendered; offer of a return if in his power. Asks him to present memorial to the Duke of Portland with statement of facts and petition for relief, not specifically designated, thinking it best to suggest them, rather than to commit them to an official prayer. No respectable barrister can be expected to quit his profession and friends for a mere support in so remote a colony. Why not give a second professional man £750 per annum, leaving £250 for an assistant, not professional, to take his place on the Bench with either of the other judges, but with no danger from the exercise of any other function of a judge? A precedent exists in the case of Mr. R. (Russell), but he received the whole salary for temporary service. He does not expect to continue and must rejoice to find a permanency of half the salary added to his other emoluments, he to sit on Bench only; he is unequal to sit at *nisi prius* or even ministerially in chambers; his rank and integrity are his qualifications. 314

Memorial referred to. 317

Documents in support of the memorial. 319 to 324

May 10, Whitehall. Portland to Russell (No. 3). Refers to letter of the 10th March last, for directions respecting the Grand River Indian lands. His surprise and dissatisfaction at the delay of the officers of the Indian Department in sending a report of the proceedings at the Council. The reprehensible nature of the neglect. Sends copy of instructions, showing that the Indian Department in Upper Canada is under the control of the Lieutenant Governor. He is, therefore, responsible for the conduct of the Department. 102

June 30, York. Russell to Portland (No. 11). Dispatches received; the second Provincial Parliament opened on the 1st instant. Sends copies of his speech, addresses, &c. Will send the journals on prorogation. The Assembly will not close soon, owing to difficulties attending arrangements for carrying the treaty between Great Britain and the United States into effect, so as to correspond with a provisional agreement with Lower Canada, which Upper Canada is called on to confirm. *Mandamus* not received, but the notification taken as a sufficient authority for summoning McGill to the Legislative Council. 140

Speech, addresses, &c. 142

1797.
July 10, Whitehall. Portland to Russell (No. 4). Transmits plan by Prescott, dated 24th December, 1796, respecting the fees on land grants. (For letter and plans see Q. 78, pp. 188, &c.) Page 129

July 12, Philadelphia. Robert Liston to Grenville. Reports that Brant stated that the ground of complaint against the British Government arose not so much from Simcoe's favourite plan of making a large settlement and building a capital on the lands granted them, but from Russell's desire to make a fortune for himself and friends by purchasing the lands most advantageously situated near the projected city, and that if Russell's interference was not put a stop to, the matter would never be equitably settled. Does not believe Brant's statements, but the deep impression of distrust, a prejudice that seems to be fixed in Brant's mind, is now become of serious import. 335

July 21, Upper Canada. Russell to Portland (No. 12). Had deferred answering Brant about Indian lands. Owing to alarming reports sent from Quebec by Prescott and rumours of a threatened attack by French and Spaniards, he had called a full Council to consider the question. It met the 29th June, and decided that the demands of the Indians should be complied with. It was intimated to Brant that on handing in the names of the purchasers, deeds would be granted, the lands being first surrendered to the Crown, and that the purchasers must take the oath of allegiance and pay the fees for their deeds. Copy of the correspondence will show the spirit of conciliation shown. Doubts of Brant's attachment, but these he kept to himself. The receipt of His Grace's letter preventing the alienation, had caused him to call another meeting of Council to determine: 1. If Brant's expressions had not released him (Russell) from the promise to the Five Nations; 2. If His Grace's letter did not take the matter out of his (Russell's) hands. The unfortunate position in which he is placed by the Council, either to disobey the King's commands or to bring on an immediate Indian war. Had sent for Brant to whom he explained that the lands were given to the Indians for their own security and that of the Province, and offered to transmit the offer they had received from others, to be secured to them by the Crown in exchange for their lands. Brant's statement of the understanding of the Indians when they received the land; that it was to be theirs to do with as they thought best, without any interference. Offer by Russell to repay any money advanced by the purchasers refused by Brant as the bargain had been closed. Offer to grant deeds for three townships already sold, accepted by Brant, as securing the Indians an annuity of £5,000, York currency. Sends statement of the quantity of the land sold, the names of the purchasers, &c. 153

Correspondence between Russell and Brant. 166 to 185

Letter from Prescott, enclosing letter from Liston, Philadelphia, reporting threats made there by Brant against the British Government. 186 to 189

Proceedings of the Council referred to in Russell's letter. 190 to 199

Statement of lands sold by the Five Nations. 200

Report of treasonable utterances by Brant. 201

July 21, Newark. Russell to Portland (No. 13). Assembly prorogued on the 3rd instant; from various reasons is unable to send copies of the Acts passed, but forwards schedule and his speech to the two Houses. Sends Bill reserved for the Royal Assent to make valid certain marriages, and to provide for the future solemnization of marriage. Transmits a proposed Act and an Address from the Legislative Council respecting lands for a Protestant clergy. 203

Schedule of Acts passed at the last Session of the Legislature of Upper Canada. 205

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Speech of Russell on proroguing the Legislature. Page 208

Address by the Legislative Council and Assembly, praying for an Act to vary the provisions of a former Act "for the better ascertaining the "appropriation of lands to be allotted to the use of a Protestant "clergy." 211

July 21, Upper Canada. Russell to Portland (No. 14). Has received letter No. 15 to Simcoe, copy of which he shall send to the Bishop of Quebec, and concert with His Lordship the best means for carrying the objects named into effect. Transmits petition from the Legislature for lands to establish a grammar school. 213

Petition. 215

July 27, London. Arnold to King. Sends information, received from Powell, on the mode of granting lands in Canada. Wishes the grant he may receive to be general in Canada, to be selected where he may choose, as two of his sons might prefer to settle in Lower Canada. 331

July 20, West Niagara Russell to Portland (No. 15). Refers to report of conversation with Brant respecting the claims of the Five Nations, and the steps he had taken in view of the danger of further delay in complying with their demand. Sends copy of the speech he delivered to the Council of Indians on the 24th instant; pleasure of Brant on hearing it read previous to delivery and satisfaction at the Council. His mortification to find next day that they were still dissatisfied and insisted on being allowed to continue to sell without waiting for the King's approbation. Explanation by Brant that they did not mean that, which was satisfactorily confirmed at a subsequent meeting. Arrival of Senecas. Anxious about the new arrangement in the Indian Department, which is explained to them. Speeches enclosed, orderly conduct of the Indians, 500 in number, assembled here. The great expense of feeding so many. They profess themselves warmly attached; hopes they may prove so when tried. 217

Speeches, &c., referred to in the letter. 222 to 249

July 29, Upper Canada. Russell to Portland (No. 16). Sends memorial of Gray, the Solicitor-General, for arrears of salary, caused by the delay in issuing the *mandamus* for his appointment. Sends also memorial of the widow of the late Colonel James Gray, for a pension. 250

Memorial of Robert T. D. Gray, Solicitor-General. 252

Memorial of the widow of Colonel James Gray. 254

July 31, Upper Canada. Russell to the Bishop (Anglican) of Quebec. Sends copy of letter from Portland to Simcoe, dated 22nd June, 1796. Had intended to send this letter by Reddish, who could have given verbally a comprehensive view of the subject. Owing to press of business had been unable to get it ready in time. The good qualities of Reddish as a clergyman; is sorry he could not remain; had placed him at York and asks that he be confirmed in that situation should he return. Addison appointed to Newark. Asks that of other two stipendiary clergymen, one may be placed at Sandwich, which promises soon to be the most populous and respectable town in the Province; the other at New Johnstown in the Eastern District. The Midland district has already two—Stuart and Langhorne. There are no churches west of Kingston, a circumstance disgraceful to the inhabitants only to be apologized for by their hard struggles and want of proper clergymen. Of the £1,000 voted by Parliament, suggests that £500 be used for building a handsome church at York, and when the inhabitants of New Johnstown, Newark and Sandwich appear disposed to raise subscriptions for their respective churches, proposes to give £100 to Newark and £200 each to the other two. Simcoe having carried off the correspondence, does not know the provision made for schoolmasters. On his way to Quebec last year, Simcoe had given a warrant to a son of Dr. Stuart, of Kingston, for £100 as

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schoolmaster there, but not knowing the authority or the fund from which this was drawn, had declined to issue a warrant this year, till honoured with His Lordship's (the Bishop's) sentiments on the subject. Page 284

(In Simcoe's No. 18 of 20th August.)

July — London. Benedict Arnold, petition to the King for a grant of land in Upper Canada. 325

Estimate of Brigadier General Arnold's losses, &c., and what he has received from Government. 327

Notes to King, dated 17th and 24th July, respecting the presentation of his memorial to the Duke of Portland. 329, 330

August 14, Newark. Minute of Council. "Resolved that the salt springs at the 15 Mile "Creek be leased to the Rev. Mr. Addison at a rent of 5s. currency for "such time as he shall continue to officiate as a clergyman of the Church "of England at Newark." It was also resolved to recommend that the Crown and Clergy lands be leased at a rack rent for a term not exceeding 21 years, with a preference to those occupying adjoining lands. Also resolved to recommend that the "Terryhoga" and the four gun boats at Chatham be sold on the best terms possible. 288

(In Russell's No. 18 of 20th August).

August 20, Upper Canada. Russell to Portland (No. 16). Respecting the accounting for the land fees to the officers in the land granting department. The question submitted to a committee of Council. The dearness of every necessary and the inadequacy of his salary to maintain the dignity of his office. The drain on his resources by the burning of one house and the expense consequent on the removal of the seat of Government. 268

Memorial of William Jarvis, Secretary, for a decision as to the disposal of land fees arising from the privilege of the Great Seal. 272

The fees referred to are ordered by the Executive Council to be paid over to the Receiver General, to be held by him subject to the order of the Board of Council. 273

The resolution on which the order was founded. 274

August 20, Upper Canada. Russell to Portland (No. 18). Copy of letter of 22nd of June, 1796, transmitted to the Bishop of Quebec. Sends copy of his letter accompanying it, which explains his views. The inhabitants are too thinly scattered and too poor to contribute much towards the support of their clergy. The late bounty will be received with gratitude, and has no doubt they will be happy in adding what they can, whenever clergymen of proper character and qualifications shall be appointed. Encloses a resolution of the Council on the management of the Crown and Church lands, in accordance with the opinion of the law officers in the province; cepy of the resolution shall be sent to the Bishop of Quebec, for his ideas on the subject. The interests of the Crown and Clergy have not suffered by delay, as few persons will offer acceptable rents till Government shall begin to slacken its hand in granting waste lands gratis. 281

August 20, Upper Canada. Same to Same (No. 17). Sends extracts from minutes of Council held on the 11th and 12th instant. 276

Minutes, 11th August. The Board called on to decide, in answer to an objection of the Chief Justice: Whether a Board of the Executive Council, consisting of the president and three other members is a competent Board and its numbers sufficient to give validity to its proceedings? 277

Minutes, 12th August. Resolved that the instructions do not declare how many members short of the whole number shall constitute a Board, that is for the Board to specify; that three members exclusive of the president shall be deemed a sufficient number till His Majesty's pleasure be known. 279

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August 31, London. Arnold to Portland. Asks for an answer to his memorial, which he understood was to be made after consultation with Simcoe. Asks for no other conditions than those usually prescribed in similar grants. Page 333

September 11, Whitehall. Portland to Russell (No. 5.) In reference to the application for a salary for Addison and asistance for building churches, refers to letter to Simcoe of 23rd June last, that £400 were appropriated for the salaries of clergy, of whom Addison is supposed to be one, and that the sum of £500 was granted in 1795 and the same in 1796, towards building churches in Upper Canada; His Majesty will always be ready to assist in making due provision for church establishment in Upper Canada. The selection of York made on mature reflection; hopes that arrangements will be made to prevent the removal causing any undue impediment to the administration of Justice. Is authorized to build a small armed vessel at Toronto, to be under the orders of the civil governor. The same regulations as are in Lower Canada are to be adopted in Upper Canada, and the revenues thence arising are to be brought to account before the Governor in Council. Will receive His Majesty's instructions from Prescott respecting the fees on grants of land; mines of gold and silver to be reserved in all grants. Will communicate with Simcoe respecting D. W. Smith's memorial. 131

September 11, Whitehall. Portland to Russell. The policy to be observed in the Indian Department. 135

September 21. London. Arnold to Portland. Pressing for an answer to his petition for lands. 337

October 7, Upper Canada. Russell to same (No. 19.) Dispatches received. Refers to previous letters for account of his settlement with the Five Nations. Application since made for the deeds to be granted and the steps taken for this purpose. Hopes to secure £5,000 York currency per annum for these people and their children. Trembles at becoming responsible for the discreet, orderly and economical conduct of the Indian Department, the different branches of which are separated to such a distance. Shall watch narrowly and try to retrench the present expenses, which he fears are greater than they ought to be. Directions issued to this end. 290

Correspondence (both letters are dated the 4th October) between Brant and Russell, on the subject of the transfer of lands. 293–295

October 7, Upper Canada. Russell to Portland (No. 20). Sends transcripts of Acts passed and assented to and of one reserved, in the last session of the Legislature, engrossed on parchment and accompanied by the journals of the two Houses. Defers sending observations on the Acts as required by instructions, with the reasons for proposing them. 297

October 12, Upper Canada. Same to same (No. 21.) Sends continuation of the minutes of the Executive Council on State matters from 19th June, 1795, to 21st July, 1796, and on land matters from 18th June, 1795, to 15th July, 1796. 299

October 25, Upper Canada. Elmsley to King. That Simcoe had declined to recommend any one for the vacant seat in the Court of King's Bench, being of opinion that he (Elmsley) might wish to do so. With certain reserve, he can recommend as worthy of that seat any one of the following, namely: Henry Alcock, of Lincoln's Inn; Richard Grisley, of the Midland Circuit; Samuel Rose, of Chancery Lane; Benjamin Winthrop and John Williams, both of Lincoln's Inn. Powell has just returned and reports that the salaries of the Puisne Judges are to be raised, which is a wise and benevolent measure, for if it is the intention to supply the Bench from the English Bar, the salary would be no temptation to any man who could be offered the appointment, as it would barely enable him to live with decency, would not allow him to lay up a farthing for his family, nor to build a house to live in, which with the cost of labour

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could not amount to less than 5,000 guineas. With £750 a year, there would be no difficulty in securing men of character and skill in their profession. Page 302

November 4, Whitehall.

Portland to Russell (No. 6.) Laments the situation in which he was placed with the Six Nations and Brant; its dangerous tendency; the Indians should be made to understand that they owe for the benefits they have received the warmest gratitude and unshaken fidelity. Is glad to find that the same question is not to be brought forward respecting the rest of the lands. Means must be used to prevent Confederation taking place among the several Nations. The duty of the superintendents; and how presents are to be distributed to the Indians. These precautions, with the growing population of the Province, must prove advantageous to them and to the Province, without them becoming an object of alarm. The salutary nature of the acts referred to in the schedule. Cannot recommend the Royal assent to the Act respecting lands for the use of a Protestant clergy; points out the objectionable clauses. Had already represented the impropriety of an enactment in such words. The terms to be used in deeds of lands granted previous and subsequent to the passing of the Canada Act. In conformity with the petition for a Grammar school, the King is anxious to promote education first by the establishment of free Grammar Schools in these districts in which they are called for; and in due course of time by establishing other seminaries of a larger and more comprehensive nature, for the promotion of religious and moral learning, and the study of the arts and sciences. To consider with the Executive Council and report, to what extent a portion of the Crown lands may be appropriated and rendered productive for the formation of a fund for these purposes, out of which shall be allotted salaries for the school masters to be selected by the Governor, sanctioned by His Majesty. In reference to the salary of Mr. Gray, Solicitor General, he was not sworn in till July, 1796, and as the warrant is dated in February, it is evident that if he received his salary from that date it would be paid for some months before he could act. Instructions had been sent to pay Mrs. Gray a pension out of the extraordinaries of the Army; these had either not been received, or else not acted on, otherwise the second memorial would not have been necessary. Remarks in a postscript respecting Crown Lands granted before the passing of the Canada Act. Page 260

November 6, London.

Arnold to Portland. Urges his claim to lands, on the same conditions as to settlement, &c., that apply to others. The hardship of being compelled to reside on the land, when his family requires that he should live in England for their education. Believes that His Grace will consider his claim a strong one on the justice and gratitude of Government. Sends list of family with the quantity of land they are entitled to receive. 338

List of family referred to, consisting of "B. General Arnold, Colonel of the late American Legion" for 5,000 acres; his wife; Edward, 17, James, 16, Sophia, 12, George, 10, and William, 4, each entitled to 1,200, a total for Arnold and his family of 12,200 acres. A note says:—"Lieut. "Richard Arnold and Lieut. Henry Arnold have had a conditional "Minute of Council for a grant dated the 2nd of June, 1796, for the usual "allowance to lieutenants of 2,000 acres each, provided they become "*actual* settlers in the Province." 341

December 13. Woolford Lodge.

Simcoe to King. Sends copy of letter which may be useful to the Duke of Portland. 346

December 14, London.

Samuel Clark to Simcoe. That Mr. Joshua G. Cozens, with whom he is interested, has bought 12 miles square on the Grand River, in order

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to establish a settlement. They have divided the property into 90 shares of 1,000 acres each, the individual shareholders to advance, in proportion to the number of their shares, a sufficient amount to carry the settlement into effect. Asks for his patronage and countenance, and requests his acceptance of five shares, free of any trouble or expense. Page 347

December 30, London. Stevenson to King. Pointing out the misapprehension which Prescott entertains respecting the proposals to raise a corps, which was not to be solely for the defence of Canada, but for service over the whole of America. 342

No date. Memorandum by Arnold respecting the grants of land he has petitioned for. 345

ACTING GOVERNOR, PRESIDENT PETER RUSSELL, 1798.

Q. 284.

1797. October — Upper Canada. Dummer Powell to Portland. Sends memorial on subjects connected with the interests of the colony, which he would have done before had Simcoe been in England. 59

Memorial states that a reserve of one seventh of the land was set apart for the support of a Protestant clergy; that this was to be in lieu of tithes; propose that these should be definitely abandoned, for reasons given, and from the universal hostility towards them. How the clergy reserves might most speedily be made productive, the mode of granting leases and the best method of providing an income for the clergy. The progressive increase in the revenue and how it could be used for church purposes, with proposal for its collection and management. 60

October 25, Upper Canada. Elmsley to King (see Q. 283, p. 302, a duplicate.) 1

November 19, York. Russell to Portland (No. 22). Dispatch of 13th July, (No. 4) received; (Date should be the 10th, see Q. 283, p, 129, also Q. 78, p. 188). Will call a Council to consider the plan in which he himself concurs, as he agrees with Prescott that had a similar plan been adopted earlier, several thousand pounds might have been raised, for defraying the public expenses of the Province, especially in making roads, which the people are too poor to do for themselves. Sees no objection to the fee being as high as in Lower Canada, the advantages of the Province compensating for its distance from the sea. Not so much land to dispose of, the loyalists being larger in number, having received some 100,000 acres, and their descendants as well being exempted from fees. Suggests that half the fee (in other cases), should be paid by the applicants on receipt of the warrant of survey and the other half when they take out the patent. This would check speculators, who never hesitate to solicit large tracts of land, without intending to pay the fees, or knowing how to procure the settlers. No change in the business respecting the Five Nations. Has only been able to get his house finished so as to remove here on the 3rd instant. The acting Surveyor General, the Attorney General and Clerk of the Council are here, but the Secretary is still at Newark. 12

November 19, York. Same to same (No. 23). Powell has resumed the office of puisne judge. The Provincial Act, which establishes a superior court of civil and criminal jurisdiction, directs that the chief justice and two puisne judges shall preside in the court of King's Bench; two judges are requisite to constitute it, so that he (Russell) shall continue the temporary exercise of the office of puisne judge, for reasons given. This position questioned by the chief justice. Transmits correspondence. 16

Correspondence referred to. 19–20

1797. November 20, Upper Canada.

Dummer Powell to King. Acknowledgment of services, &c. Sends statement of facts relative to the purchase of the lands from the Missisaugas for the use of the Six Nations. Recalls sketch of his bill for quieting land possession, objected to by the Council, to be compared with that introduced by that body, in which the King's prerogative is set aside instead of being expressly recognized as in his, and a power greater than that of the Lord Chancellor is vested in a commission with no principle for its guidance, or any known precedent; hopes his refusal to sit in this commission will not be misconstrued. Additional reasons for an increase to his salary. The hardships caused by the removal to York; the distress of all the servants of the Crown living upon salaries would excite his compassion could he witness the consequences of this removal. Page 66

how bounds stated

Statement respecting the Missisauga lands; the negotiations of the Six Nations with Berczy, &c. 69

December 21, York.

Russell to Portland (No. 24). Sends remarks by the Chief Justice on the Acts passed last Session which originated in the Council, and observations by the Solicitor General on those which originated in the Assembly. Certain bills he proposed to reserve have been assented to on the advice of the law officers. The Council having rejected a bill from the Assembly for confirming the provisional agreement entered into between the commissioners respectively for Upper and Lower Canada, a new commission has been appointed for framing a fresh agreement, and an act passed for that purpose. 21

Observations by the Chief Justice on the Acts passed in the last session, originating in the Council. 23 to 52

Observations by the Solicitor General on Acts originating in the Assembly. 53 to 58

1798. January 9, Whitehall.

Portland to Russell. Were grants to Executive Councillors to be made *ex officio*, they would be deprived of all value and estimation in the eyes of the colony, and deprive the Crown of the opportunity of becoming acquainted with and rewarding the merits of its servants. The request of the Chief Justice shall, in due time, be submitted to His Majesty. 5

January 10, Whitehall.

Same to same (No. 7). The fees arising from fixing the Great Seal of the Province, should be equally divided between the Lieutenant-Governor and the person administering the Government in his absence. The same rule is to apply to the salary. Being thus provided for he is not to execute or to receive any salary as puisne judge, a circumstance that would give occasion to suppose a connection between the judicial and executive authority, which must be preserved distinct. Approves of the decision of the Council establishing a quorum. The Crown and Clergy Reserves to be put on a footing to become productive. By letters of 10th July and 11th September last, grants of waste lands are to be subject to an additional fee, to be appropriated for the public service or to be disposed of for sale, on a plan to be adopted after consulting with Lower Canada, so that the mode of proceeding may be the same. This will raise the value of the Reserves and care must be taken to guard against fraud. No plan can be adopted for rendering the reserves productive, till a regular proposition, framed between the two Provinces, shall be submitted. How the lands should be leased. Refers to previous letters respecting Indian lands and affairs. 7

January 11, Quebec.

Bishop of Quebec to same. Letter received from Sir John Johnson, enclosing one from Brant, on the subject of establishing a stipendiary clergyman among the Indians. The irregularity of the application; the want of the necessary testimonials in respect to Phelps, on whose behalf application has been made. It is his wish not to have the work

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obstructed; the advantage of placing a discreet clergyman of the Church of England among the Indians; asks that the subject be brought before the Duke of Portland. Page 181

(In Russell's No. 35 of 4th July.)

January 21, York. Russell to Portland. Had received a letter from Chief Justice Elmsley disapproving of his (Russell's) continuing to act as a puisne judge. Sends extracts of his answer containing the reasons for his having done so. 139

Answer to Elmsley, dated 31st December, with reasons for continuing to act as a puisne Judge. 141

February 20, York. Russell to Portland (No. 25). Dispatches received. The Bishop of Quebec has approved of Addison, who is to be one of four to receive a salary. No part of the £1,000 for building churches had been applied for, as the sites had not yet been chosen, till the other day when the Bishop consented that £500 should be appropriated towards building a church at York, the other £500 to be divided among Cornwall in the Eastern, Newark in the Home, and Sandwich in the Western District. To carry this out, has requested the Chairmen of the Quarter Sessions in the respective districts to recommend that an adequate subscription be raised by the inhabitants, according to their abilities, and the election of a treasurer and church wardens for taking charge of the money and superintending the building. His Majesty's constant readiness to assist in making provision for the church establishments, cannot fail of impressing his subjects with his goodness. 76

February 20, York. Same to same (No. 26). In accordance with promise the Five Nations surrendered to the Crown, lands amounting according to the schedule, to 352, 707 acres. Five deeds had been signed at the Council Board, conveying lands (324, 195) to the purchasers from the Indians, all of them being British subjects residing within the Province. Trustees appointed to receive mortgages and other securities for the payment. No deeds to be issued till an order is received from the trustees. Transmits copy of the instrument of surrender; of the deed to be issued to a nominee of the Five Nations, and of letter to the secretary respecting the caution he is to observe in issuing the deeds. 78

Copy of the instrument of surrender dated 5th February, 1798, with schedule of the names of the purchasers, quantities and prices, &c. 81

Copy of deed to be issued to a nominee of the Five Nations. 88

Copy of order (6th February) to the secretary respecting the issue of deeds. 95

February 20, York. Russell to Portland (No. 27.) Has been unable to collect the members of the Council, so as to prepare a report on the plan of an additional fee, owing to the season of the year and the distance at which most of the members live. Sends five written opinions on the subject; his own, being nearly that of His Grace, is probably the one on which the report will be founded. Shall arrange to carry out such orders as may be sent. The beneficial ideas of the Acting Surveyor General. 97

Opinion of Chief Justice Elmsley, dated 5th December, 1797. 99

The same of Alexander Grant, dated 31st January, 1798. 105

The same of F. Baby, dated Detroit, 2nd February. 106

The same of Russell, 3rd February. 108

Report of the Board, referred to in the immediately preceding paragraph, which was confirmed in July, 1797. 118

February 22, York. Russell to the Bishop of Quebec. Had received application for a missionary for the Indians at Grand River. If Phelps is not more competent for the duties of a clergyman than for those of a lawyer, he can scarcely be judged fit for ordination. Other reasons for distrusting the qualifications of Phelps. The desirableness of having a pious missionary

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of the Church of England in every Indian village and especially with the Five Nations on the Grand River. It would be difficult to find one whom stipend alone would induce to settle in that rude and distant quarter. Page 183

(In Russell's No. 35 of 4th July.)

March 21, York. Russell to Portland (No. 28.) That, as ordered, he has appointed Lieut. James Givens to be agent for Indians and Indian affairs in the district of York. Instructions given to him. Instructions to Claus respecting the Chippewas and the Six Nations. The Council fire of the Missisauguas to be removed to the river Credit, under the charge of Givens. The part of the Chippewas near Lake Simcoe to receive their presents near York. Proposal to purchase from the Missisaugas the land between Lake Ontario and Etobicoke declined, owing probably to the influence of Brant. The proposal not to be renewed without orders, but not to be lost sight of. The importance of obtaining the land for supplying the town with provisions. 143

March 21, York. Same to same (No. 29). Reports the dismissal of Captain Elliott, of the Indian Department, by orders of the Governor General, and the appointment of Major Fraser in his room. 147

March 21, Upper Canada. Same to same (No. 30). Copy of letter from the Chairman of the Bench of Justices for the Western district, requesting assistance to rebuild the gaol and court house at Sandwich, which have been destroyed by fire. The necessity of a gaol on account of the number of deserters from the American army dispersing themselves in the settlements and committing crimes which cannot be suppressed for want of a gaol. Had allowed a block-house to be converted into a gaol and court house for the district. Since this misfortune, it had been as badly off as before and he had requested the commanding officer at Amherstburg to give the Sheriff the use of one of the unemployed vessels in the Detroit River. 149

Correspondence between Prideaux Selby and Russel, respecting the burning of the gaol and court house at Sandwich. 152–154

March 21, York. Russell to Portland (No. 31). Sends annual report of the Militia, taken from those of the county lieutenants. The Militia laws have been amended, but more coercive measures must be adopted before regular information can be obtained of the population and internal strength of the Province; is convinced that, were this the case, 3000 more should be added to the return. 156

Annual report of the Militia in Upper Canada on the 1st January, 1798. 158

May 8 and 14 Correspondence between Brant (p. 187) and Russell (p. 189), respecting a missionary for the Five Nations on the Grand River. 187–189

(In Russell's No. 35 of 4th July.)

June 7, Whitehall. Portland to Russell. Sends letter from Liston respecting his suspicions of the disposition and designs of Brant. Refers to previous letters as to the policy to be observed towards the Indians. Prescott to be applied to for troops to strengthen the seat of Government and such posts as may be necessary to keep up communications and to interrupt those between hostile Indians. Should Brant desire to come to London, no obstacle to be thrown in his way. Vigilance to be observed in watching what may be passing to the westward, between him and the Mississippi, particularly on the Fox River or the Wisconsin. 126

June 8, Whitehall. Same to the same (No. 8). The plan to be observed with respect to fees on land grants, so as to raise a fund for the public service of the Province. Disapproves of his holding the office of puisne judge, as explained in letter No. 7, in which he was informed that he was to receive a moiety of the Lieut. Governor's salary. 129

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June 15, York.

Russell to Portland (No. 32). Is happy to find that his conduct with respect to Indian lands is approved of; no further alienations shall be permitted without His Majesty's sanction. Instructions sent to agents to prevent confederations, and to direct the attention of the nations to their own particular concerns. Shall transmit the letter with Act respecting the lands for the benefit of a Protestant clergy, with a request to the Chief Justice to prepare another bill, with the necessary alterations. Transmits copy of the plan for leasing the Crown and Clergy Reserves. The chairman's report enters into details. A copy of the plan has been sent to the Bishop of Quebec. Page 159

Plan recommended for leasing the Crown and Clergy Reserves and rendering them soonest productive. 161

June 3, York.

Russell to Portland (No. 33). No time shall be lost in publishing Colquhoun's letter. Had communicated to the Council letter of 9th January (respecting lands for the Executive Councillors, see p. 5 of this volume). The application had been made for the reason stated; they shall wait His Majesty's pleasure. Thanks for the provision made for himself; had no intention of drawing the pay of a puisne judge after the arrival of Powell. Plan for leasing the Crown and Clergy Reserves has been sent. 168

July 3, York.

Same to same (No. 34). Transmits the thanks of the Legislative Council and Assembly for the fund provided for establishing free Grammar Schools and other seminaries. 170

The address of thanks referred to. 171

July 4, York.

Russell to Portland (No. 35). Sends extracts from correspondence with the Bishop of Quebec, respecting a missionary for the Indians on the Grand River. The moral and political expediency of having a clergyman among the Indians. Asks for another stipendiary clergyman; has taken £200 from the £500 for building a church at York to be applied towards building one at New Johnstown. The Western district is the only one which has reported the appointment of wardens to take charge of the money collected for building a church. Has, therefore, only drawn for £200 in favour of the wardens at Sandwich, to enable them to build a church in that town. Waits the arrival of Raddish or some other clergyman for York, before drawing the £300 appropriated for building a church there. 178

July 5, York.

Same to Same (No. 36). Legislature met on the 5th of June and was prorogued this day, after three bills had been assented to and four reserved. Acts and Bills ordered to be engrossed and copies of the Journals prepared. Sends copies of speeches and addresses at the opening and closing of the Legislature. 191

Speeches and Addresses. 193 to 201

July 5, Whitehall.

Portland to Russell (No. 10). It is proposed to grant a settlement in Upper Canada to Mr. Puisaye who was commander of the French loyalists employed in conjunction with His Majesty's forces on the coast of France in 1795; the arrangements to be made for his reception and that of the other French loyalists. 132

July 17, York.

Russell to Portland (No. 37). Sends report approved of by him and the Council on the plan proposed by Prescott for laying an additional fee on future grants of waste lands or for disposing of them by public sale. A correspondence has taken place with Prescott, which gave the Council an opportunity to consider his views. Delay in the transmission by Prescott of the King's instructions. How the inconvenience was averted. 202

Extracts from minutes of Council on the subject of lands, dated 5th April, 23rd May, 25th June and 13th July, 1798. 205 to 219

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Correspondence between Prescott, of 21st January (p. 220), and Russell, of 21st April (p. 224), with Prescott's plan for disposing of the waste lands of the Crown by public sale (233). Pages 220. 224. 233

July 17, York. Russell to Portland (No 38). Increase of imports from the United States of goods, the produce of the West Indies, as well as of Great Britain and Ireland; he had proposed measures for collecting duties, consistently with the late treaty of amity and commerce. His reasons were: 1. To place merchants of Lower Canada on an equal footing with those of the United States; and 2. that he might secure a revenue for the civil expenditure of the Province. The Council had not agreed in his views, so that nothing was done. Refers the matter to His Grace. 245

July 28, Whitehall. Portland to Russell (No. 11). Observations by the Chief Justice and Solicitor General on the Acts, which are not yet received, merit attention. Remarks on the amendment to the Marriage Act and the Clergy Reserves sent, with an address to be laid before Parliament. Observations on the table of fees, land grants, &c. 134

August 11, York. Russell to Portland (No. 39). Sends copy of plan submitted by Smith, Acting Surveyor General, for laying on an additional fee and for rendering the Clergy and Crown lands remunerative. 248

Plan referred to, with calculations, diagrams, forms for books and how to use them, &c. 250

November 5, Whitehall. Portland to Russell (No. 12). Letters laid before the King. Does not doubt but that in due time an opportunity will arise of purchasing the lands between the head of Lake Ontario and Etobicoke. How the Missisaugas are to be treated. Sends extract of letter to Prescott respecting the dismissal of Elliott. Authority given to draw on the Treasury for funds to assist in rebuilding the gaol and court house in the Western district. The return of the militia must be much below what it ought to be. The cause of this. The plan respecting the reserves approved of, but a corn instead of a money rent should be charged, which will be more just to all parties. The request for land to the Executive Councillors had been refused on the ground on which it had been asked, but he is authorized to grant an amount to each, which, with that already granted, will bring the amount to 6,000 acres, and the grounds must be so stated that this will not become a precedent for other councillors. 173

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1797. October 20, Upper Canada. Dummer Powell to Portland. Encloses memorial on the subject of Clergy Reserves in Upper Canada. 424

The Clergy Reserves established as a substitute for tithes, the impossibility of exacting these in a new country. The importance of public worship recognised everywhere but in France and the new States; every just prejudice seems to invite church establishment in the British Colonies. Recommends that leases for these lands should be for twenty-one years, renewable at the end of seven years; the terms to be clearing and fencing one acre yearly, leaving improvements at the end of the lease. Further there should be the option of renewing every seventh year, so that the tenant having the certainty of 14 or 21 years may carry on improvements with greater spirit. Scheme for rendering the Clergy Reserves productive, with calculations as to the revenues that would be derived from them for establishing parishes. 426

1797. November 20, Upper Canada. Dummer Powell to King. Relies on the promise for an augmentation of his salary. Sends statement relating to the purchase by Haldimand from the Missisaugas for the use of the Six Nations. Calls attention to the sketch of a bill for the quieting of titles to be compared with the one passed in his absence, by which a power greater than that of the Chancellor of England is vested in a commission without a principle defined for its government, or any known precedent to guide its discretion. Hopes that his refusal to sit on this commission may not be misconstrued, as it springs from a just veneration for the King's honour and the purity of the channel through which his grace should reach the subject. Additional reasons for the increase to his salary. Page 433

The importance of the Missisauga lands, and the necessity of the prohibition to sell Indian lands without the King's assent. History of the transactions between Berezy and Brant and the manner in which Russell was obliged to yield to Brant's demands. 437

1798. February 4, London. Arnold to King. Asking him to get the question of obtaining lands brought to a close. Believes that Portland will not object to order the grant without making it necessary for him to go to Canada, as he would settle the lands like other half pay officers. 415

March 7, Whitehall. Cornwallis to same. Calls attention to the conversation with Portland respecting Arnold, who intends with his wife and family to go over to cultivate the lands. His gallant and useful services in the island of Guadaloupe. 413

March 26, Wolford Lodge. Simcoe to the same. There is no legal objection to Arnold receiving a grant in Upper Canada, provided he has none in New Brunswick, but he is extremely obnoxious to the original loyalists of Upper Canada; his proposed non residence would remove that objection. The amount of the grant rests solely with Portland; no general officer has received more than 5,000 acres; he (Portland) can certainly dispense with Arnold's personal attendance and the plea of his wounds is favourable. Conjures him to watch over Upper Canada; it will be, with proper and honourable support, the most valuable possession out of the British Isles in population, commerce and principles of the British Empire. 417

March 27, London. Arnold to Portland. Asks for an interview and to explain a mistake in the letter from Cornwallis. 419

March 28, London. Same to Same. Pressing his claim for lands in Upper Canada. It was not his intention to take out all his family, as Cornwallis said, as he desired to leave the young children at home. Begs that the order may be sent, so that it can be forwarded to Canada by the first ship, that he may give orders to his sons to select the lands. Has no objection to go out himself, but the critical circumstances of the country might require his personal services. 420

How Upper Canada is divided; by the ordinary conditions, Arnold would be entitled to 14,600 acres. 423

May 17, Wolford Lodge. Simcoe to King. Advocates the claims of Arnold, but care should be taken that, if granted, the compliance should not be taken by the Council of Upper Canada as a precedent. If France be the possessor of Louisiana, she will, without great care, be absolute possessor of the Misssissippi and of the Indian nations in the North-West. Lord Dorchester's ignorance in not permitting his (Simcoe's) plan for colonizing at Gloucester Bay would shortly be apparent. 444

June 5, Whitehall. Cornwallis to the same. Transmits papers sent to him by Arnold, and urges his claims on the ground of his gallant conduct at Guadaloupe. 446

Petition to the King and other documents relating to Arnold's claims. 447 to 461

June 5 to July 4, Journal of Assembly of Upper Canada. 309 to 405

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July 20, War office. J. H. Woodford to King. Sends list of persons who are to accompany the Count de Puisaye to Canada. Page 462

List of persons to embark on board the "Betsy" for Canada. 463

Regulations for the colony to be founded in Upper Canada. 465

August 11, York. Russell to Portland (No. 40.) Sends copies of Acts passed in the last session and of reserved bills. Sends also map of the organized part of the Province with a copy of the journals of the Legislative Council. Reports of the Chief Justice and Solicitor General on the bills which originate in the Houses of which they are respectively members, form part of the enclosures. 1

Schedule of Acts, with that of bills reserved, the reasons for the reservation being given. 3

Plan of the organized part of Upper Canada. 5*a*

Reference from the numbers on the plans for the names of the township, &c. 6

Journal of the Legislative Council from 5th June to 5th July, 1798. 12 to 81

Report of Elmsley, Chief Justice, on the bills which originated in the Legislative Council. 82

Report by R. J. D. Gray, Solicitor General, on the bills which originated in the Assembly. 10

Minutes of Executive Council on State Matters from 21st July to 12th December, 1796.

21st July Minutes 19th August, William Birdseye Peters took the oaths as assistant registrar. 105

Minutes 1st October. Officers of the surveyor's department recommended. The names are in the report. Report on the accounts of Jarvis, secretary and registrar. 106

Minutes, 3rd October. Loan authorized to the justices of the Home district to complete gaol and court house. 108

to

Application by the American recorder to transfer the land records of Detroit to him, refused; certified copies may be given. 109

Payment of a mathematical instrument for the surveyor's department ordered, and plan for a reserve for public buildings at York approved of. 110

12th December, 1796. Minutes, 8th October. Table of fees considered; Jarvis, registrar, to charge £40 a year for a clerk. 111

Fees allowed to John Small, Clerk of the Council. 112

Minutes, 24th November. John Elmsley, Chief Justice, took the oaths of office. 112

Minutes, 12th December. The commission of Chief Justice Elmsley to be antedated. 113

The magistrates of the Western district for assistance to build a gaol. 114

Minutes from 7th January to 22nd December, 1797.

7th to 17th January, 1797. Minutes, 7th January. Ordered that no land fees are to be taken from U. E. loyalists. 116

Offers to be received for leasing the Salt springs at the Fifteen mile creek, township of Louth. 117

Minutes, 9th January Surrender by Angus McDonell, of certain lands in the vicinity of the Salt springs in Louth. 117

Minutes, 17th January. Order of Council to be endorsed on memorials, &c., and signed by the members. 118

Vessel to be employed as a dispatch boat when the seat of Government shall be removed to York. 119

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Minutes, 24th January. Regulations concerning petitions for land.

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24th January Letters from the acting Surveyor General, respecting a monument of the Meridional line being erected at York; relative to the long beach at Burlington Bay being reserved as an appendage to the King's Head Tavern; this cannot be granted the beach being reserved for the Crown; respecting assignments of land; relative to the augmentation of allowance to the surveyors; reporting an iron mine on lots 21, 22 and 23, in Cramahé; ordered to be reserved; for instructions as to lands in the township of Malden, applied for by men who have accepted commissions in the United States, since the transfer of Detroit. Chewitt reports that he cannot get men to do the work on the meridional line at York at the price allowed; to stand over till men can be got on cheaper terms. 122

Minutes, 14th February. Affidavit by John Kitson that Eben Hathaway has sold lot 10 to Lewis Swift, of Genesee; that Hathaway is in the service of the United States and that Swift has spoken disrespectfully of the King's Government. Ordered that Hathaway appear before the Council and that the fiat for No. 10 do not issue to him, and that no fiat issue to William Demont. The Clerk of the Council to make a return weekly to the Attorney General of all land granted by the Council. 124

Minutes, 21st February. On application of the magistrates of the Western District, the Council selected a tract of land on the Detroit River near the Huron Church as the site of a town, and ordered application to be made to the Commander-in-Chief for the purchase to erect a gaol, court house and town thereon. 126

Minutes, 11th March. Regulations respecting land board certificates. 127

Petition from the Registrar for a clerk's salary referred to the Treasury. 128

Minutes, 14th March. Allowance to the Surveyor General to have parts of the descriptions printed. R. J. D. Gray took the oaths as Solicitor General. Lists of U. E. loyalists to be furnished to various offices specified. 129

5th May, Minutes, 21st March. All persons having claims to lands are to send them in before the 1st of August. 130

When there are only 20 lots of an acre each in the town of Newark these are to be divided into 40 half acre lots. 131

The secretary and clerks of the Legislative Council and Assembly are to bring to the Council office all Acts and Bills that may be in their hands. 131

Minutes, 24th March. The secretary and clerks brought the Acts, &c.; further orders. 131

Minutes, 4th April. The secretary authorized to print the Land Registers. 132

Minutes, 6th April. Report on public accounts. 133

Report by the Chief Justice on travelling allowances to the Solicitor General and other officers of the courts. 134

Petition by the clerk of the Legislative Council for an allowance for superintending of the Acts, rejected. 136

1797. Minutes, 2nd May. That orders are to be sent to the clerk of the Western District to receive the names of all persons at or near Detroit, as shall elect to continue subjects of Great Britain and prepare a roll to be transmitted to the Council office. 137

Minutes, 5th May. Letter from Russell to the Council on the subject of removing the seat of Government to York, and asking its opinion and advice respecting the objections urged by the Chief Justice. 138

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The correspondence on the subject submitted to the Council. Pages 142 to 155

8th May Minutes, 8th May. Written opinions of members of the Council. 155

Resolution, that it is not expedient to call the next meeting of the Legislature at this place (Newark) instead of York, and that a proclamation issue calling the Legislature to meet at York on the 1st of June. 160

On the proposal of the Chief Justice it was resolved to apply to the Legislature for power to order the sittings of the courts for the Home District to any other place than York, within the district, (this order to be in force for two years from 10th August next). 160

Petition from Pollard, Sheriff of the Western District, for an allowance, as he is unable to proceed without it; recommended to have £50 a year. 161

to The clerk ordered to obtain a return of the land grant fees and the amounts due to the officers of that department. 162

The block house at Chatham to be granted to the magistrates of the Western District, to be erected at Sandwich for gaol and courthouse. The Chief Justice requested that in the plan of Sandwich, a reserve should be set aside for a gaol and courthouse, a residence for the Sheriff, the clerk of the peace, the incumbent of the parish and perhaps one or two more public purposes. 163

Application of the Clerk of the Council for an increased salary to the two assistant clerks and himself. 163

Public accounts examined and approved. 164

Minutes, 9th May. The petition of John White, Attorney General, 11th August. for a rearrangement in the mode of paying over the fees on land grants acceded to. 165

Minutes, 10th May. Public accounts audited and approved of. 166

The same on the 11th. 167

Minutes, 7th June. Jacob Farrand, Clerk of the Peace for the Eastern District, to be paid £80 currency for his trouble, &c., in bringing to Newark the Land Board certificates. 167

Minutes, 19th June. Prescott, by letter of 30th January, admits the claim for getting the "Mohawk" schooner off the shoals in Niagara Harbour, previously refused. Has no authority to pay expenses in the surveying department for services performed in the district of Nassau, previous to the division of the Province. The documents should be sent to the Secretary of State. The suggestion agreed to. 168

Minutes, 29th June. Correspondence respecting the application of the Five Nations through Brant, for leave to dispose of part of their lands laid before the Council for advice. The Council under the present alarming circumstances believes that the administrator may at once decide on granting the demands of the Indians. 170

Minutes, 10th July. Further concerning the claims of the Five Nations; the Council reiterates the opinion already given and expresses the wish that measures may be taken for putting the Province in a state of defence. 174

Minutes, 22nd July. In absence of Small, it is ordered that the confidential clerk sign and issue minutes of orders. Business connected with the Secretary's department; the records of the Province ordered to 1797. be rebound for greater security, &c. 178

Minutes, 27th and 28th July. Discussion as to whether certain questions could be settled without a full meeting, decided in the negative and a full meeting ordered to be summoned. 181

Minutes, 11th August. A full Council met and was asked to determine "whether a Board of the Executive Council of the Province con-

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"sisting of a President, while administering the Government, and three "other members, is a competent Board of Council, and its number suf- "ficient to give validity to its proceedings." Page 185

12th Minutes, 12th August. It was resolved that until further instructions three members should form a quorum. 187

The Secretary reprimanded for non compliance with orders; regulations as to land patents, fees, &c. 188

Memorial by Thomas Smith, member for Kent, stating his services and praying for a grant of 1,200 acres each to himself and family as payment in full of his claims. 192

Resolved that he send account of charge for surveying to be sent to the Ministry; his claim for pay as preventive officer is well founded; his services in the Militia to be authenticated; and 600 acres to be granted to petitioner's wife. 196

Travelling expenses allowed to John McGill. 196

Half fee on lands to loyalists allowed to John Small, Clerk of the Council. 197

to Report on the principles on which townships were granted and the conditions of the grants. The Council makes the following recommendations: "1. That all appropriations for townships or other tracts of "land heretofore made in this Province be immediately rescinded and "the townships or other tracts thrown open to other applicants. 2. "That all persons who were really and *bona fide* located in any town- "ship, or tract, by the nominee before the first of June, 1797, and since "(if there be no appearance of fraud), be confirmed in that location to "the amount of two hundred acres, but that no recommendation made "by any nominee for a greater quantity be attended to, not precluding, "however, the settler himself from exercising the right common to all "His Majesty's subjects of making such applications to the Executive "Government for an addition as he shall think proper. 3. That twelve "hundred acres, including former grants (except on military lands) be 28th August, "granted to each of the four principal nominees, in case there should be "four, whose names are subscribed to the petition for an appropriation; "those persons, however, who happen to be nominees of more than one "township, are not to receive this donation more than once. 4. That "the unsurveyed tract be surveyed, and the unlocated be located as soon "as possible." 197

Minutes, 13th August. Regulations of commerce between Upper Canada and the United States considered. No account of the discussion. 205

Minutes, 14th August. Subjects agreed to be considered. Consideration of commerce resumed, and the repeal of certain ordinances recommended. 206, 207

Recommended that the Salt springs be leased to Rev. Mr. Addison at five shillings a year, so long as he continues to officiate as a clergyman of the Church of England at Niagara. 208

1797. Gunboats to be sold (one at York, four at Chatham). 209

Lands on the north side of the lake still belonging to the Mississaugas recommended to be purchased. 209

Regulations as to the duties and hours of the clerks of the Council. The hours to be from 10 in the morning till 2 in the afternoon. The confidential clerk in absence of the Clerk of the Council to be the only one to be entrusted with the entry of State and other secret and confidential matters. 209

Minutes, 28th August. Ordered that it be the official duty of the Chief Justice to provide copies of all Acts directed to be sent to the Secretary of State, to superintend the printing, &c.; to deliver within

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one month after the end of the Session the ground of each Act which originated in the Upper House; the duty of the Attorney or Solicitor General being to give the same for those originating in the Lower House. Page 210

To connect York with the western part of the Province, a bridge to be built over the outlet from Burlington Bay into Lake Ontario. 211

Cost of surveying the townships of Cramahé, Haldimand and Percy (County of Northumberland) granted to Joseph Keeler, ordered to be paid. 211

29th August Minutes, 29th August. Regulations for granting lands and forms of deeds. 212

Minutes, 2nd September. Report on the state of the deeds in the Secretary's office. 214

Minutes, 8th November. Cornelius Munro, Sheriff of the Eastern District, for a salary; recommended. 216

to Minutes, 16th November. Consideration of memorial from William McKay, superintendent of inland navigation deferred. 216

Minutes, 20th December. Correspondence between Portland and Prescott placed in the hands of councillors for consideration. 219

Order that new grants of land, except where the faith of the Crown is pledged, shall not be made until new regulations shall be entered into, 22nd Decem to which the applicants shall be subject. 219

The determination to build a temporary lock up deferred till the arrival of the Chief Justice. 219

To stop the sale of town lots ordered on conditions of building, it is declared that by such sales before a patent issue, the lands shall be forfeited. Dec. 1797. 220

Minutes, 22nd December. Further respecting new applications for land, except in cases in which the faith of the Crown is pledged. 221

The Clerk of the Council to collect all His Majesty's instructions for granting land. 221

July 20 Proceedings of the Council respecting waste lands between the dates on the margin. 223 to 307

(For names of the petitioners see alphabetical list at the end of the calendar of this volume.)

Minutes, 1st October, 1796. Surveys ordered; in the EASTERN DISTRICT, what remains unsurveyed of the forfeited townships of Osgoode, Wolford, Montague, Russell and Kitley; to run two concession lines in the three lower townships on the Ottawa or Grand River; in the MIDLAND DISTRICT; what remains unsurveyed of the three forfeited townships of Loughborough, Huntingdon, and Rawdon; in the HOME DISTRICT; the forfeited township of Clarke; in the WESTERN DISTRICT to complete the forfeited township of Windham, and of the five Long Point townships; Decem to run two concession lines on each side of Yonge street, and a gore of land near Townsend, for which there are several applications. On a letter from Hon. Richard Duncan, dated 10th July, 1796, the Council resolved that every order of Council which had appropriated one or more townships for the accommodation of Messrs. Duncan and Fraser and their associates be rescinded, preserving to actual settlers in the townships of Mountain, Winchester and Finch, their full rights of possession on certain conditions, (specified) and that these townships shall be thrown open to other applicants from the 1st of June, 1797. 1796 The committee reported that they had found the Surveyor General's books clear and satisfactory, and resolved that the board is perfectly satisfied with the mode in which the business of the office is arranged. In consequence of doubt if more land has not been granted to Captain Duncan than is allowed and recommendation by the administrator that

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means might be taken to distinguish between grants made to individuals in their own right and those acquired by transfer, the Council instructed the Attorney General to that effect. Reserve to be selected for clergy in respect to the Six Nation lands. Page 227

September 19, York. Russell to Portland (No. 41). Sends minutes of Council on matters of state from 21st July, 1796, to 31st December, 1797, and on waste lands from the 15th July, 1796, to the end of that year. Sends also copy of the Journals of the House of Assembly. 412

December 6, Whitehall. Portland to Russell (No. 13). Sends duplicates of instructions on fees and on the reservation of gold and silver mines only; also copy of instructions to Prescott, respecting the money to be paid down before possession is given of land sold in Lower Canada, and when the rest is to be paid. Sends also copy of letter to Prescott, relative to the Indian Department and to the completion of the first and second battalions of the Royal Canadian Volunteers. 406

December 10, Whitehall. Portland to Russell. Sends copy of letter from Mr. Graham, holding the commission of Lieut. Colonel from the United States Government, formerly employed as aide-de-camp and secretary by Governor Chittenden; his application for land; he had given early notice of the destination and object of the ship "Olive Branch," in consequence of which she was captured with arms on board, no doubt intended for Adet, Genet and other French agents in North America, to assist in raising a revolt in the Provinces. If on examination Graham's statements are found to be true, the designs of the emissaries he mentions are to be counteracted and themselves brought to justice, if their acts give occasion for so doing. Information to be communicated to Prescott. 408

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ACTING GOV. PRESIDENT P. RUSSELL, AND MISCELLANEOUS—1799.

Q. 286.—1.

1798. October 5. Quebec. Prescott to Russell (No. 41). Has information that Collot, a French General, formerly engaged in a plan for stirring up rebellion in Canada went into the western country in 1796 and 1797, to prepare the Indians to make an attack on Upper Canada, at the same time that a French force would come into Lower Canada. When Collot left, he promised to return in 1799, and is now in France concerting measures. To ascertain what tribes have been tampered with, so as to prevent the mischief. 33

(In Russell's No. 44, of 8th November).

October 10. York. Russell to Portland. Sends copy of correspondence with Prescott, respecting Mrs. Gray. He (Prescott) does not think himself authorised to grant her a pension out of army extra ordinaries without a special order. 9

Extract of letter from Prescott above referred to. 11

October 26. York. Russell to Elmsley. Is strongly convinced of the propriety (almost necessity) of raising a fund from Crown Lands for the public service of the Province, but is convinced by the Committee's report of its being inexpedient to do so till more lands are purchased from the Indians. Shall transmit report to the Governor General, so that orders may be given by him, to treat with the Indians about an immediate purchase of about 20 townships. The Surveyor General should be directed to prepare a report of the ungranted lands. 25

(In Russell's No. 43, of 3rd November).

November 2. York. Russell to Prescott. For reasons given, believes a dangerous cloud is ready to burst over the Province. Cannot discover with certainty on what tribes he can depend. Has had no intelligence from McKee of what is doing among the Indians in his quarter, although he has repeatedly written to him for intelligence. Should the Western Indians be disposed to make an irruption on the back settlements they might do mischief before their attack could be heard of, and there are so few farms occupied between the Don and the Humber that it is probable the first news would be the Indians themselves. Has the most serious apprehensions of an attack by the Western and Lake Indians, even if those on the Grand River be faithful, as Brant says they are, although he has not a doubt that the Caughnawagas and other Canadian Indians are in the French interest. Asks for troops to enable him to push forward posts between the town and Lake Simcoe, with at least one field piece to give warning of the enemy's advance, so as to check it. Will arrange the few militia here to co-operate with the regular troops. Colonel Shaw has had for some months 100 stand of arms with ammunition and orders to ballot for a like number of men to be in constant readiness to embody and march. Similar orders have been given to the other

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lieutenants, and arms, &c., supplied, those sent by Prescott last year having been distributed for that purpose. The militia under McKee and Baby has been reduced by the secession of those who have become subjects of the United States, but there seem to be still 150 men to be depended on. The Long Point settlement may turn out 150 more, and the County of Lincoln about 800. The two last consist of staunch old soldiers. The Eastern and Midland Districts report only 2,683. Would not therefore count on more than 1,000 for the field, to be drawn without domestic inconvenience. Refers to the letters of Portland, of which copies have been sent. Page 35

(In Russell's No 44 of 8th November.)

November 3, York. Russell to Portland (No. 43). Had laid the letter desiring an allotment for de Puisaye before the Council, so as to have arrangements made for the reception of the French Loyalists. Shall send result by the earliest opportunity. Has been informed by de Puisaye of his arrival at Quebec with officers, &c., and two ladies, 40 in all; had desired him to remain at Kingston or send some of his party to Newark, there being a better prospect of accommodation in these two old settlements than elsewhere. Sends copy of proclamation respecting fees on land, on new patents, to raise a fund for the public service of the Province; no alteration to be made in the quantity of land to be given. The full fee of £5 11s. to be charged on each town lot, to be distributed according to the table of fees. Sends second report on Prescott's plan for disposing of Crown Lands by sale; shall send the Surveyor-General's report on the lands yet undisposed of. Sends return of the Executive Council; the difficulties (specified) in securing a full attendance. Is yet unable to send report of the judges and law officers as to the manner and extent to which Crown Lands can be appropriated for the establishment of free Grammar Schools and other Seminaries; nor can he send draught of bill for better ascertaining the appropriation of lands for a Protestant Clergy, to be drawn up by the Chief Justice. Owing to the lateness of the season no meeting of the Council can be held. 12

Proclamation concerning fees to raise a fund for the public service of the Province. 18

Schedule of Fees. 20

Report by the Executive Council on Prescott's plan for disposing of the waste lands of the Crown by sale. 21

November 3, York. Russell to Prescott. Sends copy of the committee's second report and of his answer. The stock of land, according to the report, should be increased by further purchase from the Indians. Shall send requisition to that effect. 27

(In Russell's No. 43 of 3rd November.)

November 3, York. Report of the present state of the Executive Council of Upper Canada. 29

November 8, York. Russell to Portland (No. 44.) Brant's expressions of attachment seem to be unfeigned, but his ambition is to be chief of all the tribes, and for this purpose he is seeking to effect a union among the Five Nations, the Missisaugas and the branches of the Chippewas between this town (York) and Matchedash on Lake Huron. To obviate this, the Missisaugas had been taken from under Claus at Niagara, and placed under Givens at York, with directions for the Council Fire to be renewed at the Credit River, where a small house is built for the accommodation of travellers and distribution of presents. This has hurt Brant, interferes with the interests of the interpreter and of traders living at the head of the Lake, where Claus delivered the presents, so that every engine is at work to excite dislike in the Misisaugas to the arrangement and to Givens, who will probably, however, discover the intrigues. The present crisis has,

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however, compelled him to temporize with the Indians from whom assistance is to be expected. Has applied to Prescott for additional regular troops. Page 30

November 21, York. Russell to Portland (No. 45.) Arrival of de Puisaye on the 18th. The confidence produced by the high character given to him by Windham. Has selected lands between York and Lake Simcoe and the Surveyor General has been ordered to lay off four townships immediately to the north of Markham, Pickering and Whitby, for the French emigrants. These are to be formed into a corps of Militia, with de Puisaye at its head, having permission to name his officers. By making him a Justice of the Peace he will have civil and military direction of the colony. He has promised not to admit a Frenchman with whose principles he is not perfectly acquainted. Sends list of the persons who have accompanied de Puisaye; are they to be supplied with provisions? In granting lands are the half fees to be charged to the grantees or to be paid by warrant on the Receiver General? Must delay reporting the number of French Royalists who can be supplied with land, the Surveyor General not having completed his report. 39

List of Royalists referred to. 43

November 25, York. Russell to Portland (No. 46). Sends copies of proceedings of a Council meeting on de Puisaye's affairs, and of three memoirs received from him. The unwillingness of some members of the Council to put arms in the hands of foreigners; his own confidence in the recommendation of Windham as to their principles. The only force here consists of the Queen's Rangers and one battalion of the Royal Canadian Volunteers, distributed over so large an extent of country that not more than 300 could be collected on an emergency. The state of the transport service on the Lakes; the condition of the roads is such that communication is scarcely attainable, except by water. The number of men required for surveying. Proposes to add 200 men of the French Royalists to the following posts: To Kingston, 30; York, 50; Fort George, 20; Chippewa, 10; Fort Erie, 40; Amherstburg, 30; St. Joseph's, 20; and to ease the expense of the survey and transport service, it is proposed to supply them from the same sources, and 60 to be employed in clearing roads, &c.; 100 might be attached to the engineer service; another battalion might be employed in cultivation. 45

Memorial (in French) from de Puisaye, to have the quantity to be settled on the Royalists determined. Requesting also that lands may be granted to French families still in England, the same as to those first arrived, together with rations and the first seed, as promised by the British Government. 49

Memorial (in French) for permission to call the first establishment of the French Royalists by the name of Windham, in gratitude for his humanity towards them. 51

Proceedings of Council also enclosed. 62

November 25, York. Russell to Portland (No. 47). Has received confirmation of the Marriage Act. Cannot understand how the other Acts miscarried as they were carefully packed and addressed. Sends other copies. Shall attend to His Grace's commands respecting Alcock. 54

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January 23, Sandwich. P. Selby to Russell. The prospect of an attack in Spring induced the late Deputy Superintendent General (McKee) to communicate ten or twelve days before his death many important matters relative to defence; submits these for the information of the Governor General. McKee writes that little is to be apprehended from the Indians by way of the United States unless the people of Kentucky and on the Ohio should join the enemy, but the waters by the Wisconsin to Lake Michigan open an easy passage either by way of Chicago or Michilimakinak.

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The route by the Illinois not so advantageous, for reasons given. To meet every contingency, the late Deputy Superintendent General proposed to collect all the Indians here and about Michilimakinak and St. Joseph as early as possible in Spring and to send out small scouting parties to watch the motions of the enemy; this force might be estimated at about 3,000 men. The Sakies and Foxes on the Wisconsin and Fox rivers were to be induced to resist the French, Spanish or unfriendly Indians in [illegible] pass through their country, and presents were to be sent [illegible] pose, when one of the principal chiefs was to be induced to come down to confirm the treaty at Amherstburg last fall, and to be held as a hostage, in case they may have been seduced by Collot or his agents. Advantage of a treaty with the Sioux, the best Indian warriors in America, all mounted, and muster about 6,000 men; the Government, McKee thought, should make use of their services and of those of the Folles Avoines or Menominees, who inhabit a large tract of country near the Prairie des Chiens. These, with British officers, he proposed to send down the Mississippi, to engage any enemy; if none were met they were to be directed to proceed as low down as possible to keep up an alarm and prevent the Spanish and French, or Indians in their interest, from venturing any distance from their settlements. Should the enemy advance through American territory, the Indians were to be advantageously posted under proper officers, to give them battle before they made a near approach to this place (Sandwich) and if defeated to retreat to Amherstburg, or elsewhere as directed, to make a stand with the regulars. Page 87

(In Russell's No. 57 of 19th February.)

January 24, Whitehall. Portland to Russell (No. 14). His conduct and that of the Bishop of Quebec, in relation to the application of Brant for Phelps to act as missionary, approved of. The appointment of a clergyman to the Indians to be entirely in the hands of Government. On the plan of selling the lands by auction refers to previous letters. The claims of the United Empire loyalists to be restricted to the sons and daughters, not to extend to their descendants generally. Refers to previous letters which show that the opinion of him (Russell) and the Council is concurred in as to the sale of lands; lots should be restricted to 1,000 acres or to such smaller number as would best suit settlers, and sales should be so regulated as to enhance the value of the land to be disposed of. Sends copy of letters to Prescott on the subject; congratulates him on avoiding settlements by associated companies; grants should be to individuals only. Respecting fees, regulations, leases and renewals. Has communicated to the Lords of Trade letters on commerce with the East and West Indies, and on manufactures of Great Britain and Ireland. Has submitted the reserved bills. 2

February 12, York. Russell to Portland (No. 55). Report on the house at Newark, built by D. W. Smith and offered by him for sale, which the Council recommended to be purchased for a schoolhouse and part of the endowment for a free Grammar School for the Home district. Smith's services, &c. 75

Papers relating to the purchase reccommended, the valuation of the house, &c. 77 to 79

Elevation and plans of the house and grounds. 79 A. 79 B.

February 12, York. Russell to Portland (No. 56). Transmits and recommends resolution of the Council respecting the propriety of an increase to the salaries of the clerks in the different offices of Government. 80

Resolution of the Executive Council on the subject. 81

Proceedings of the Council on the same. 82

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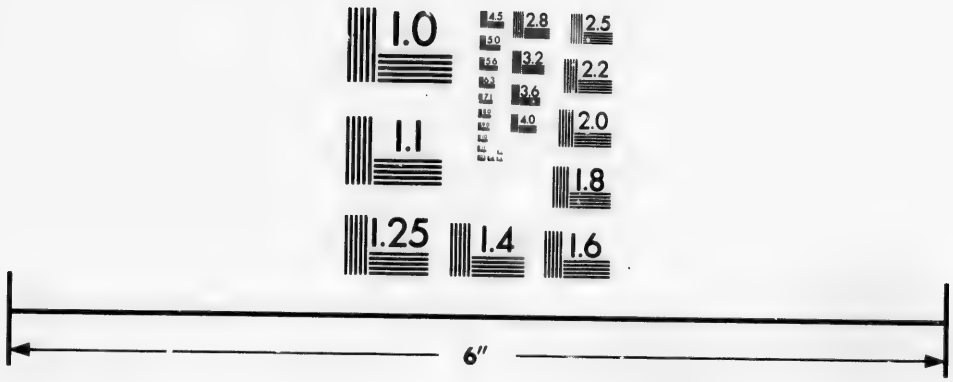

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1799.

February 19, York. Russell to Portland (No. 57). Had desired the late Mr. McKee (died 15th January, 1799, see series C, vol. 252, p. 2) to keep a watchful eye over the Indian movements in the neighbourhood of the Fox and Wisconsin rivers. Sends his sentiments written a few days before his death and forwarded by Selby, Secretary. Besides these precautions the addition of a small armed vessel or two to cruise on the Huron, would serve as a probable means of shutting that door. Page 85

April 5, York. Same to Sir John Johnson. Is sorry for the trouble he has had, owing to the futility of the intelligence given to Claus by the Delaware Aaron's son, but as it agreed with other information it could not be slighted. McKenzie (who brought the contradiction) shall have his bill honoured when it appears. Conjectures as to how, where and by whom the report was originated and its object. As there seems to be nothing hostile at present from the westward, the Shawanese and other Indian Nations may leave the neighbourhood of Amherstburg as they propose. Has written Captain McLean on the impropriety of cutting timber on the Huron reserves, contrary to the will of the Indians, who would no doubt give leave to cut any wanted for the King's works, on receiving a consideration for it. Simcoe's desire to purchase the lot has been dropped. McLean reports that part of it is wanted for the convenience of the garrison, he (Sir John) to sound the Wyandots to ascertain if they are willing to part with the whole or a part of the lot mentioned by McLean. But no encroachments are to be permitted. 99

(In Russell's No. 58 of 25th April).

April 5, York. Russell to McLean. On the stories brought from the westward, called "the old story dished up again in a different form to answer "some interested purpose;" and respecting the cutting of timber on the Huron Reserve, substantially as in letter to Sir John Johnson of the same date. 102

(In Russell's No. 58.)

April 10, Grand River. Brant to Russell. Is happy to find that there are no Indians assembled on the Mississippi nor any French troops to support an attack on this country. Since he heard of French insinuations among the Indians he apprehended and still apprehends that they might be induced to resent the treatment they had received, in being left in the lurch to fight alone and make a peace for themselves after repeatedly defeating the United States. Other grievances. Dispute between Sir William Johnson and Amherst as to the treatment of the Indians on the conclusion of the war in 1760. Sir William was successful and thus secured the friendship of the Indians who were wanted not many years after, when all America might have been lost but for them. Many events might happen which might make it more necessary now than it was, not to fall short of paying attention to the Indians. Does not, however, mean to dictate to Government, although he thinks it right to give his sentiments. Out of sympathy for the sufferers, it had been determined by him and the Mississaugas to grant de Puisaye five miles of land in front along the lake next to his (Brant's) land, but the depth not yet determined on. This, he flatters himself, will be satisfactory to His Honour (Russell). The Council thought the distance between the beach and York without settlement too large for the convenience of travelling, this will remove the difficulty as part of it will be immediately settled. When it was reported that that country was to be bought, they (the Indians) could not understand that there was any pressing need, but now they are happy to befriend those who have suffered in the same cause, and believe it will add to the convenience of the country, as the distance between settlements will be inconsiderable, and there still remains space

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for a house at Sixteen Mile Creek for the accommodation of travellers. Page 105

The answer by Russell is dated 25th April. 110

(Both are in Russell's No. 58 of 25th April.)

April 12, Whitehall. Portland to Major General Hunter. Sends his commission as Lieutenant Governor of Upper Canada and desires him to be guided by instructions, correspondence, &c., to be delivered to him by Russell. 8

April 25, York. Russell to Portland (No. 58). Had on the arrival of Sir John Johnson withdrawn the commision from Messrs. Baby, Grant and McKee, to exercise temporarily the functions of Deputy Superintendent of Indian affairs. Sir John having shown a letter from Prescott that he intended to appoint Captain Claus to succeed McKee, he was allowed to be employed *ad interim* in that capacity. Sends copies of correspondence with Sir John and Brant. That of the latter shows that the information brought by his runners from the westward, was totally unfounded, and also shows the difficult card he has to play with Brant, who has objects beyond his (Russell's) power of discovering. The caution that will be observed in all transactions with him. 93

Letter to Sir John Johnson, that he was to take the entire direction of Indian affairs in Upper Canada, and to Messrs. James Baby, Alexander Grant, and Thomas McKee, that their temporary commission was withdrawn, both letters dated 14th March. 95, 97

May 10, Newark. Brant to Sir John Johnson. The wish of the Missisaugas that part of their land should go to de Puisaye. It must, however, by law be transferred to Government; its boundaries; the extent is 69,120 acres for which they must be paid one shilling and three pence Halifax currency, in money or goods. 139

May 18. York. (In Russell's No. 61, of 26th May.)

Russell to Portland (No. 59.) A formal offering of the thanks of the Council for His Majesty's consideration for their losses shall be sent when the whole Council can be assembled. The false report of a threatened attack from the westward; the chief of the Ottawas denies that he received any belt from the Caughnawagas as reported, nor had he even seen the informer who made the statement. Orders sent to Sir John Johnson to trace the source and purpose of these lies, but has not yet heard of his success. The alarm has had the result of showing the loyalty of the people of Upper Canada and their ability to repel an Indian attack, as 2,000 volunteers were ready to march to any place to which they might be sent. Will try to obtain a cession of the Missisauga lands, the more so as de Puisaye is desirous to settle some of his followers on them. Has transmitted to Windham copies of proceedings of Council on de Puisaye's subject, asking him for directions as to supplies of provisions, seed, &c., for the French royalists. He has been obliged in the meantime to supply articles to them on his own responsibility, owing to the certainty of the colony perishing if he had not done so. 112

May 18, York. Same to same (No. 60.) Refers to letter No. 38 respecting his difficulties in regulating the commercial intercourse between the United States and the Province. Sends report from a person well versed in the trade of the country, showing the growing importance the Province is likely to be of to the British Empire. Sends also abstract of all the title deeds which have passed the seals of the Province to the 31st of December last. This does not show the whole of the land given away, as the deeds to be perfected may nearly equal these in quantity. The system of a corn rent had been part of the plan of the Executiva Council for leasing the Crown and clergy lands, but was omitted by the transcriber. It shall be restored. The miserable state of religion in the

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Province; there are only three clergymen of the Established Church to officiate throughout its great extent. The capital has no pastor, nor is there one in either the Eastern or Western District. On the occasion of the thanksgiving for late victories, Mr. Smith (a Councillor) had to read the prayer. Should religion remain much longer in this state, there is everything to fear for the morals of the people. Page 116

Sketch of the course of trade between Canada and the United States, with tables. 119

Table 1. Note of merchandise and rum which passed the Niagara portage in 1797, consigned to merchants on the American side of the Detroit. 123

Table 2. Returns in peltries from the American territory for 1797. 123

Table 3. Packs from Detroit transported over the Niagara portage in 1796, 1797, and to 24th September in 1798. 124

Table 4. Account of expenses on goods by the Mohawk River. 124

Goods paying duty at Quebec, which passed Coteau du Lac from 18th April to 31st December, 1797. 125

The same between 1st January and 31st December, 1798. 125

The title of the report and tables, some of the latter of which are signed by R. Hamilton and others by R. Cartwright, is "Observations "on the trade of Upper Canada and a comparative view of the articles "of commerce paying duty at Quebec, that have passed into this Pro-"vince (Upper Canada) in the years 1797 and 1798."

Abstract from the Auditor's Docket Book of the title deeds for land in Upper Canada, which have passed the seals of the Province between July, 1792, and the 31st December, 1798. 126

Report from the Acting Surveyor General respecting the waste lands in Upper Canada, remaining to be disposed of, after deducting the Crown and Clergy reserves and the appropriation for schools, roads, French loyalists, &c. 128

Appropriations recommended by the Acting Surveyor General for establishing a fund for the building and the support of free grammar schools in Upper Canada. 131

May 26, Upper Canada. Russell to Portland (No. 61). The Missisaugas having raised the price of their land to a much higher rate than was ever asked before by Indians, he has declined to purchase a township near the head of Lake Ontario for de Puisaye and his followers. Encloses copies of correspondence between Sir John Johnson and Brant. Will not at present take notice of the part taken by Brant in the interest of the Missisaugas; shall only tell de Puisaye that the terms of the Missisaugas cannot be complied with. 134

May 26, Fort George. Sir John Johnson to Russell. Has been prevented by contrary winds from coming to York; will sail for Kingston. Encloses letter from Brant; nothing better can be hoped for from the Missisaugas so long as he is their agent; the vacant lands on the Thames and up to the St. Clair and Lake Huron may be obtained from the Chippewas. If Allen and Mrs. Ainse could be satisfied, they would use their influence. The Indians all out hunting and the Hurons not having agreed to the sale of the land round Sandwich, had sent Claus back to this post (Fort George) as the most central, leaving McKee to transact the business at Amherstburg. Has no doubt the Hurons will grant part of the reserve near the fort and confirm the purchase at Sandwich. Captain John of St. Regis has requested him to urge the completion of their grant. 136

May 26, York. Russell to Prescott. Is sorry he is not to see Sir John Johnson, as he has many matters to consult him upon and to know if he had traced the source of the belt story. The offer of the Missisaugas to let de Puisaye

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have part of their lands near Burlington Bay. Reports the transaction as shown in the correspondence between Sir John Johnson and Brant, of which copies are sent. Instructions from Portland respecting the acquisition of lands from the Missisaugas quoted, which entirely correspond with his own sentiments. The terms in which the offer to de Puisaye is clogged cannot be accepted. Page 141

May 26, York. Russell to Portland (No. 62). Recommends one of three persons to succeed as Superintendent for Indian affairs for the Niagara district, namely, Henry Johnston, James Givins and Johnson Chew, the services and merits of each being given. 145

May 26, York. Same to same (No. 63). Transmits return of the Executive Councillors of the Province.

Return, dated 26th May. 147

May 26, York. Russell to de Puisaye. His satisfaction that he (de Puisaye) will give the same attention to Windham, although he resides on the other side of the Lake. His anxiety on account of letter from Sir John Johnson, that the Missisaugas had demanded terms for the lands for the Royalists that could not be admitted, being derogatory to the King's dignity and injurious to his interests. An addition dated 11th June explains the benefits bestowed on the Indians and their previous acknowledgement. The unexpected conduct of the Missisaugas has put it out of his (Russells) power to comply as he had desired, with his (de Puisaye's) wishes. Flatters himself, however, that a vigorous exertion towards the advancement of the Colony at Windham will leave little to regret. 148

June 11, Whitehall. Portland to Hunter (No. 1). Presuming he is at the seat of Government, shall address this direct to him on Russell's letters. Respecting Mrs. Grays application for pension and how it should be recommended. Approves of the principle held by the Council in granting land, but objects to the fees proposed to be charged for town lots; how these should be settled. Calls his attention to the second report of the Executive Council on the Governor General's plan for disposing of Crown lands, the principle of which and of dealing with Brant he recommends, as, by the increase of His Majesty's subjects in the Province, fears on the score of the Indians must abate; they will no doubt become willing to dispose of their lands for the public service on the same terms as former bargains. Refers to letter No. 10 to Russell for instructions as to the grants of land to de Puisaye, and further respecting the fees, about which Russell inquires. He may use his own discretion in granting rations to the French Royalists. 187

June 14, York. Russell to Portland (No. 63 a repetition). The Legislature called for the 5th instant was adjourned to the 12th for want of a quorum. Sends speech, addresses, &c. 56

Speech, addresses, &c. 149

Laws passed in the second session of the second Parliament of Upper Canada. 151 to 157

Monthly report, dated 1st June, of the state of the Council. 158

June 19, York. Russell to Portland (No. 64). Dispatches received, which shall be attended to. The want of roads, which the population is too thinly scattered to open up, has prevented assembling the Legislature in winter; has called on the Council to assist; contract entered into for making a road from York to the Bay of Quinté, and the contractors have begun work. Proceedings of the Board enclosed. 167

Proceedings of the Council referred to, respecting roads, bridges, &c. 168

June 22, York. Russell to Portland (No. 65). Sends further correspondence with Brant, who is still, he believes, "strongly attached to His Majesty's 170

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"per on and Government, notwithstanding the apparent offensive part "of his present conduct." Page 175

Correspondonce between Russell and Brant: 1. Brant to Russell, 10th June (177); Russell to Brant, same date (179); Brant to Russell, 11th June (181). 177 to 183

June 22, York. Russell to Prescott. Agrees with the opinion of the Duke of Portland as to the pernicious consequences likely to result to the King's service from Brant obtaining the ascendancy that he aims at over the Indian nations resorting to the British posts, as well as of the facility of counteracting him if the superintendents and agents act with discretion. Has uniformly discountenanced Brant obtaining any agency except that of the Five Nations. Brant's discovery of his (Russell's) desire to counteract his influence over the Missisaugas led to very improper liberties of speech on his part, which coming to him in an indirect manner, he had concealed his knowledge of. He (Brant) had acted more openly in respect to Givens, and is now hurt at his plan for accommodating de Puisaye being foiled, as he tried by this means to secure the acknowledgment of his right to the agency of the Missisaugas and at the same time the privilege of Indians demanding the King's confirmation of whatever cessions they chose to make, and fixing the minimum at which the royal purchases must be made. Brant on receiving the letter declining to pay the price asked for the lands, rudely refused to dine with him (Russell), although he had accepted the invitation. Although cunning, Brant is thrown off his guard by liquor or impatience of control. 184

June 29, York. Same to Portland (No. 66). After giving the Royal Assent to five Bills, and receiving an Address from the Council and Assembly, asking him to transmit an "Act for the better maintaining the appropriations "of land to be allotted for the use of a Protestant clergy," the House was prorogued. Copy of the speeches, addresses, &c., enclosed. The Acts and Journals shall be sent when prepared. 191

Schedule of Acts. 193

Speech to the Legislature at the close of the Session. 195

Address of the Legislature, for the transmission of Act for clergy lands referred to in letter. 197

June 29, York. Russell to Portland (No. 67). In case His Grace should be surprised that no measures have been adopted for the more orderly government of the inhabitants of the towns in the Province, sends copy of his letter to Chief Justice Elmsley on the subject, stating the principal objects he expected to obtain by a Police Bill. Elmsley's request to let it lie over for a year. 199

Enclosed. Russell to Elmsley, dated 12th June, stating the objects he had in view in suggesting a Police Bill. 200

Answer by Elmsley, dated 18th June, that he hopes by next Session to be able to prepare a plan. 204

July 1, York. Russell to Portland (No. 68). Transmits address from the Legislature offering the surplus of the Province's share of the duties on imports into Lower Canada and the product of her fiscal regulations. The returns are not ready, so that the amount of the surplus cannot yet be ascertained. It is the general wish that the ability of the Province had been greater and added at an earlier date to the general contribution for the relief of the national burdens. 205

Address referred to. 207

July 9, York. Russell to Portland. Has received notice of General Hunter's appointment to be Lieutenant Governor. Thanks for the sense expressed of his (Russell's) services, &c. 209

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July 16, York. Portland to Russell. Sends address from the Executive Council to be laid before the King. Page 211

The address (of the same date) is one of thanks for the additional lands granted to each of the Councillors. 212

July 18, Whitehall. Portland to Hunter. Sends correspondence respecting a proposal of the Duke of Kent to make the Provincial regiments in North America fencibles, to serve throughout North America generally. 92

July 18, York. Russell to Portland (No. 69). Dispatches received. Is happy to learn that what has been done respecting Brant's application for the ordination of Mr. Phelps has been approved. Had always been of opinion that it was not intended to extend grants of land to the descendants of U. E. loyalists generally, but only to their immediate descendants in the first generation; this view was adopted by the Council, on receipt of His Grace's dispatch. The extension of it in the general sense has now, therefore, ceased; he does not indeed recollect an instance of its being exercised, though that was the construction of Mr. Motz, and was thus probably expressed in the Council minutes. Is glad that the resolution to get rid of the pernicious system of settling waste lands by associated companies and to grant to individuals only, is approved of. Even then it has not always been possible to counteract the schemes of land jobbers and speculators. How the schemes are carried out. Shall consider the suggestion how to make the Crown and Clergy reserves productive. 213

July 18, York. Same to Same (No. 70). The state of health of Mr. Smith (the acting Survevor General) requires his return to Europe. The Council has resolved to grant the leave asked. The loss of his abilities will soon be felt. Sends copy of the minute of Council on the subject. Introduces and recommends Smith. 216

Minute of 11th July referred to. 218

Resolution of the Council of 16th July, accepting Smith's nomination of John McGill to conduct the business of the office in his absence. 219

July 18, York. Russell to Portland. Had delayed sending his petition as Receiver General, hoping that by the arrival of General Hunter it might have been transmitted by him as Lieutenant Governor. Now takes advantage of Smith going to London to transmit it by him. 220

The petition prays for a grant of land to defray the loss caused by the burning of his house at York in January, 1797. 221

July 24, Quebec. Lieut. Governor Hunter to Portland (No. 1). Had arrived at Quebec on the 13th of June. Not being able to reach York before the prorogation of the Legislature, had thought proper to wait till Prescott left, which will be to-morrow; will then proceed to Upper Canada. Must be in Quebec by the 1st of October in reference to the arrangement of troops &c. 223

August 19, York. Russel to Hunter. In answer to question as to how the Government can be carried on in his (Hunter's) absence, states as his opinion that in such absence, the Provincial Parliament cannot be assembled or prorogued; capital convicts pardoned; proclamations and commissions under the great and privy seals and marriage and spirituous liquor licenses signed; Executive Councils summoned, and their proceedings confirmed; the militia embodied, or any orders relative thereto given to the county Lieutenants; the administration of justice superintended, or unexpected occurrences therein provided for; title deeds for lands ordered and for which the faith of the Government is pledged, perfected; nor issues of public moneys, for salaries due or services performed, warranted but by a Governor or by some person fully invested with the administration. Is inclined to doubt whether a Governor can legally execute any one act of the Government while absent, so that unless it devolve on

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the senior or some other councillor by a special commission, there must be a total suspension of the functions of the Executive Council during the Governor's residence in Lower Canada. Suggests that inquiry might be made if a standing committee of the whole Executive Council could not be appointed to audit the public accounts; grant warrants for their payment and for that of approved salaries; to answer petitions for appeals and appoint times of trial; to reject or admit applications for land; to order surveys and superintend and control the conduct of the surveying and land granting departments; enforce the payment of all branches of the public revenue and punish defaulters, and, finally, to watch the conduct of every person entrusted with public money. If this can be done by a general warrant, does not apprehend any great inconvenience to the King's interest or that of the Province by a few months' absence, provided the necessary blank proclamations &c. (designated) are left behind signed. This would, at least, preserve the appearance of Government. Suggests how, in part, the responsiblities of the Governor as a public accountant may be escaped in respect to the issue of warrants on the military chest, but cannot say how he is to act in respect to services ordered to be paid by bills drawn on the Treasury. Page 239

August 20, York. Russell to Hunter. In delivering over the administration of the Government, informs him of the measures in which he was engaged and his authority for each. The first is the rendering the Crown and Clergy Reserves productive, the statement including the general system of land grants, &c. Nothing has yet been done towards the sale of the waste lands, except advertising the sale of the townships of Dereham and Norwich, to raise a fund to defray the expense of cutting a road from York to the Bay of Quinté. The only public works are this road and another to the beginning of the Yonge Street Settlements, the gaol, a small armed vessel for the use of the civil government and a defensible guard house for troops in case of an Indian rupture. Has sent the best report on the state of the militia that could be collected. Had deferred the promulgation of the acts for appointing Justices of the Peace, Sheriffs, Coroners, &c., until after the return of the Judges from circuit, but it should not be deferred beyond the last of November, for reasons given. Refers him (Hunter) to the respective documents for the different establishments, &c. 244

August 21, York. Same to Portland. Arrival of Hunter on the 15th, assuming the administration next day; everything communicated to him necessary for his information. Thanks for indulgence and request for a continuance of favour and protection. 237

September 22 York. Same to King. Sends Journals of Assembly which he had received too late to transmit to the Duke of Portland. The Acts, Journals of Council, &c., were transmitted to His Grace on the 13th ulto. His promise from Simcoe that he should be put in the line of advancement; his mortification at finding his name last on the list of Councillors, remedied, however, by his being made Administrator by a special commission, and obtaining the title of President. His losing the office of Administrator has involved the loss of Presidency, as it has been held that the mere giving the title does not confer the office, so he has been placed in an inferior position to other Councillors over whom he had formerly the right to exercise authority. Asks that his case be presented to the Duke of Portland. 252

Journal of the Legislative Council from 5th to 29th June, containing speeches, addresses, &c. 256 to 290

October 4, Whitehall. Portland to Hunter (No. 3.) Dispatches from Russell (58 to 69) received. Respecting Indian affairs, refers to additional instructions of the 15th December, 1796. He is to be charged with, and responsible

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for the management of Indian affairs in Upper Canada. Refers him to letter of 11th June respecting de Puisaye. The return of duties paid at Quebec on goods passing to Upper Canada shows the growing importance of the Province, which is highly satisfactory, but adds materially to the concern at the want of officiating clergy and the extreme difficulty in inducing ministers of the Church of England to settle in Canada. His exertions to obtain clergymen properly qualified; a temporary provision of £400 a year has been made for four clergymen, to continue till the Church or Crown Reserves shall become productive. The temporary provision cannot be extended in proportion to the number of clergymen, so that the Province should itself make arrangements. Is pleased at the means adopted for making roads. The danger of Brant's attempt to form a confederacy of Indians; they must be made to understand that the continuance of presents depends on their continued services. The "Act for the better ascertaining the appropriations of lands to be "allotted to the use of a Protestant clergy" commented on and its inconsistency with the instructions pointed out. Nothing more appears to be necessary than a very short Colonial Act, in the terms of the draught enclosed, or to that effect, on which he will of course consult the law officers in the Province. Future grants are to be made according to the approved diagrams contained in letter to Simcoe of 6th January, 1796, and desires to know whether it had been approved of and adopted. His Majesty is highly grateful for the loyalty and dutiful attachment shown by the grant of the surplus of their resources as a support to the exertions for the preservation of the constitution, and he is to communicate the King's sentiments to the Legislature. Page 225

Draught respecting clergy lands referred to in preceding letter. 233

October 9, Whitehall. Portland to Hunter. Letter of Russell received respecting the thanks of the Councillors for the grant to compensate for the expense of the removal from Newark, and laid before the King. His Majesty believes that it will animate their best endeavours to promote his interests. To report whether Russell's peculiar losses, as stated in his memorial (18th July, p. 221), are such as to entitle him to an additional mark of His Majesty's consideration. 235

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Q. 286—.2

1796. February 14, Niagara. Wilcocks to Portland. A duplicate. See Q. 282-2. Page 618

1798. November 5, York. Same to same. Capture by the French of Irish settlers whom he had expected to meet in Montreal in the spring of 1796. Found on his return in June that, in his absence, the township of Whitby had been taken from him. Had transferred his pretensions to the east half of the township of Whitby to J. Cozens and Samuel Clarke on their promise to bring in 20 good and loyal settlers, heads of families. Asks that his township or an equivalent may be given on certain specified terms. 431

November 10, Upper Canada. Dummer Powell to King. The proposed augmentation of his salary not provided for in the last year's estimate, but will be for the ensuing year. Asks that he be paid arrears. 437

November 15, York. J. White, Attorney General, to same. Entering into details of his circumstances and the emoluments of his office, in support of memorial addressed to the Duke of Portland. 439

Letter to the Duke of Portland on the same subject and of the same date. 443

1798.
November 15, York. J. White, Attorney General, to Simcoe. Informs him of the purport of a letter to Portland of this date (p. 443) and asks for his influence should the Duke speak to him of it. The impossibility of living by his profession in Upper Canada. Page 462

November 27, York. W. Willcocks to Portland. Sends copies of the Minutes of Council respecting the township of Whitby and of advertisements distributed in 1794 through England, Scotland, Ireland and Wales, in the latter of which it was published in Welsh, so as to induce settlers to come to this country. 446

Minutes of Council, dated 4th October, 1796, and 28th June, 1797, respecting Whitby. 448

Copies of advertisements 1st November, 1794 (p. 449); and of 4th June, 1794 (p. 453), for the disposal of lands in the township of Norwich, Upper Canada. 449, 453

December 16, York. Russell to Lord Uxbridge. Recalls their former acquaintance, and asks his influence to obtain the government of Upper Canada. 457

1799.
January 24, York. Willcocks to Portland. Complains of the treatment he has received. Encloses a petition to the King, which he had almost resolved to carry himself, but could not leave during the preparation he is making for settlers. All he asks for them is land, to be given free of expense, except the fees. The high estimation in which Russell is held. 464

Petition by Willcocks to the King, stating the circumstances under which he had come, and prays for land for anticipated settlers. 466

Extract from the Minutes respecting the grants made to him of Norwich and part of Whitby. 472

February 1, York. Elmsley to King. Thanks for the appointment of Alcock to be a Judge of the Court of King's Bench for Upper Canada. His arrival; is satisfied with his situation. There is a rumour that a Court of Equity is to be constituted, the Judge to be called the Master of the Rolls, a situation Alcock desires, should such an office be constituted. Alcock's Commission named him Judge of Common Pleas, a court abolished for many years. The true title should be "one of the Justices of our Court of Kings Bench." 474

February 2, Detroit, Sandwich Side. J. Baby to Simcoe. Apologies for not writing sooner. The apprehended invasion gives a ray of hope that he (Simcoe) will return. Death of McKee. Asks that he should succeed to the vacant office, if it should be thought necessary to look for any one out of the Indian Department. His situation should he not soon obtain some emolument. He had removed from Detroit in the fall of 1795, in consequence of the cession. 428

April 2, London. Portland to same. That General Hunter has been appointed to the government of Upper Canada. His (the Duke's) sense of Simcoe's services there would not suffer him to let this be communicated through any other channel than his own. 459

April 26, Devonshire. Simcoe to Portland. Transmits letter from White, Attorney General of Upper Canada. Can himself certify to the insufficiency of the salaries in that wilderness. Strongly recommends Russell. The high opinion of him held by Sir Henry Clinton, to whom he was confidential Secretary. Hopes that some provision might be made for his few remaining years, for he is very old. 460

June 7, London. Arnold to same. Having made a bargain with a gentleman for the settlement of lands in Upper Canada, granted to him as a half pay captain, requests a copy of the letter of instructions to Russell on the subject, to satisfy the gentleman as to the validity of the title. 476

July 1, York. Monthly report of the state of the Executive Council for Upper Canada. 493

1799.
July 24, Quebec. Hunter to King (private). Had arrived on the 13th June. Prescott to embark to-morrow. On Monday, he (Hunter) shall proceed to Upper Canada. That Province is perfectly tranquil; is certain that Milnes will soon remove the evils which have lately disturbed Lower Canada. Did not know Prescott before; from his conduct should not hesitate to pronounce him mad. Had been indisposed; thanks to Dr. Nooth, is now recovered. Page 494

August 22, York. Same to the Executive Council. Respecting the measures to be adopted for conducting the business of the Province during his absence. 387

Minute of Council, dated 24th August, in answer to letter from Hunter, pointing out the special provisions to be made during his absence. 389

Message from Hunter approving of the recommendations and naming the three senior Councillors. Names the Chief Justice, Russell and Shaw, with the power to call in McGill in the unavoidable absence of one of the three, to be a committee to conduct the business; message dated 31st August. 400

Instructions, dated 2nd September, to the members of committee above named. 402

Commission of same date appointing the committee. 405

List of the Royalists gone from London (undated) with de Puisaye, given to Russell after de Puisaye's arrival. 407

Actual situation of the French emigrants by return dated 3rd September. 409

(The seven preceding documents in Hunter's No. 2 of 11th October.)

September 22, York. Minutes enclosed in letter from Russell to King of this date continued. 291 to 305

Journal of Assembly. 306 to 379

October 4, London. Paruther, Druce and Caruther to George Woodford, War office. For payment of the passage money of de Puisaye and others, freight, &c., by the "Betsy." The owners have been compelled to resort to legal measures to obtain payment. 528

Letter from the owners, Messrs. Brickwood and Daniell follows, dated 12th August. 529

October 11, Quebec. Hunter to Portland (No. 2). Had left Quebec on the 29th July and arrived at York on the 16th August, when he assumed the Government. States the arrangements made with the Executive Council for carrying on the business of the Province during his absence. Sends copies of correspondence, instructions, &c., relative to this. Has reason to be satisfied with the conduct of the Council. By July or August, a tolerable road will be completed between York and Quebec. Has seen no reason to recommend a pension to Mrs. Gray, chargeable to the establishment of Lower Canada. Shall take care that the fees to be charged for deeds to town lots shall be reasonable. Attention shall be paid to have Crown lands disposed of in reasonably small proportions, which will settle the difficulties respecting the Indians as the land gets settled, but there does not seem to him any evil disposition among them or any foundation for the alarms of last year. Shall allow lands to de Puisaye and his followers on the same terms as to original American loyalists, but asks for instructions as to the quantities to be given to each. Sends list of the rank of the officers. Chief Justice Osgoode doubts how far a valid title can be given till their disabilities as aliens are removed. De Puisaye does not live on the lands allotted to the French emigrants, but has purchased a farm near Niagara, where he and his household reside. Some apprehension entertained in Upper Canada respecting the intimacy

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between Brant and de Puisaye, but cannot find that it is well founded. Marquis de Beaupoil and St. Victor have determined to return to England; they came to Lower Canada for that purpose with a passport from Russell and he (Hunter) had tried to procure a passage for them by the frigate "La Prevoyante," but was not successful. They are securing their own passage. Report on the condition of the French Royalists, of whom only 25 remain. Had supplied them with rations and seed wheat. A number of French Canadian labourers employed at Windham have also been supplied with rations. These shall not be furnished longer than is absolutely necessary. Page 380

October 25, Quebec. Hunter to Portland (No. 3). The little advantage to be expected from placing the Provincial regiments on the footing of fencibles, in the present state of the Canadian battalions; the composition of these battalions; their want of discipline. Sends return of the state of each battalion, showing how far they are from being complete. In spite of being entirely officered by native Canadians, receiving a large bounty and a short term of service, such is the dislike of Canadians to a military life, he believes it will be impossible to complete them. The high wages to labourers is another obstacle. The return of deserters shows that they were then one-third of the present effective strength. The caution and delicacy necessary in bringing about an extension cannot be too strictly attended to; should the laudable example of other Provincial corps have the least influence on either of the Canadian battalions, it shall receive every possible encouragement. 412

State of the 1st Battalion Royal Canadian Volunteers, on 1st October. 415

The same of the 2nd Battalion on the 1st September. (All the officers' names are included in the returns.) 417

Return of deserters. 417

October 25, Quebec. Hunter to Portland (No. 4). Sends copy of requisition for goods to supply the Indian stores, the original forwarded to the Duke of Kent. 418

Requisition. 419

October 27, Quebec. Hunter to King (private). His arrival; he is relieved from responsibility for military expenses by the arrival of the Duke of Kent at Halifax on the 10th of September. Refers to letters, &c., to the Duke of Portland respecting the arrangements for civil matters. His good reception in the upper country. The councillors are all good men; Russell, had it depended on him, would have granted lands to the Devil and all his family (as good loyalists) provided they could have paid the fees. Smith, acting Surveyor General, has gone to England; his essential services; asks that everything be done that he may return to Upper Canada as soon as possible, which he will do if appointed Surveyor General with an adequate salary; his desire to be appointed to the Executive Council. 424

November 20. Simcoe to Portland. An Account of D. W. Smith's services, and recommending that he have the same salary and the same permanence of office as the Surveyor General of Lower Canada. 535

(In Smith's letter of 7th December, p. 534.)

November 30, Plymouth. Simcoe to King. Asks him to present memorial to the Duke of Portland. Had he made terms before going to St. Domingo the request would not have been refused; but he disdained such measures. 496

Memorial by Simcoe of the same date addressed to the Duke of Portland, giving a detail of his services &c. with documents in support. 497 to 527.

December 6, London. Phyn, Inglis & Co. to Portland. Opposing the petition of the North-West Co. for land on the Falls of St. Mary. 532

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December 7, London. D. W. Smith to Portland. Sends a letter from Simcoe and one from Russell; the dispatches alluded to in the latter had been forwarded from Liverpool on the 15th September last. Page 534

(For Russell's letter see No. 70 of the 18th July 1799, in vol. Q 286—1 p 216.)

December 10, York. White, Attorney General, to King. Transmits memorial for an allowance for extraordinary expenses and for an increase to his salary. Asks him (King) to use his influence with the Duke of Portland. 541

The memorial referred to. 544

(Mr. White died on the 4th of January, 1800, from the effects of a wound received in a duel with Small, clerk of the Council, two days before.)

December . Memorandum for the estimates for Upper Canada, respecting the manner in which the item for the Surveyor General should be entered. 531

No date. Sketch (political and financial) of an establishment to be formed in Canada for the settlement of the French emigrants (neither date nor signature. It is marked as having been received on the 9th July 1799.) Published in full in report on Canadian Archives, for 1888, note F. p. 73. 478

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1799.
June 1, York. Russell to Portland. Feeling the want of the Attorney General's abilities in the House of Assembly, had requested him to stand for the Counties of Addington and Ontario, his expenses to be paid. His defeat; the election expenses (£23 10s. 3d. Halifax currency) have been paid, as promised. Page 1

June 24, York. Address of the Council and Assembly in regard to the Act "for the "better ascertaining the appropriations of land to be allotted to the use "of a Protestant clergy," that it may be transmitted without delay to be considered by the Parliament of Great Britain before being submitted for His Majesty's assent. 11

(In Russell's No. 71 of 13th August).

July 17, York. Report of the Solicitor General (Gray) on Acts orginating in the House of Assembly. 7

(In Russell's No. 71 of 13th August).

July 23, York. Report of the Chief Justice on the Acts originating in the Legislative Council. 4

(In Russell's No. 71 of 13th August).

August 13, York. Russell to Portland (No. 71). Sends transcripts of five Acts to which the Royal Assent was given in the Third Session of the Second Provincial Parliament. Reports of the Chief Justice and Solicitor General, Journals and other documents also sent. 3

Schedule of the Acts passed during the Third Session. 13

December 27, Quebec. Hunter to the Duke of Kent (No. 6). Acknowledging receipt of letter notifying the appointment of Connolly. Sends correspondence respecting the Indian Department, &c., to show the impropriety of the appointment, and adds: "I feel it my indispensable duty to state to Your "Royal Highness, that so far as I am capable of judging, I am decidedly "of opinion, the removal of Captain Claus and the appointment of "Lieut.-Col. Connolly in his room, would be highly prejudicial to His "Majesty's service." 21

1799.

Correspondence follows: Sir John Johnson to Hunter, 16th December, 1799, (p. 25); the Duke of Kent to Sir John Johnson, 6th July, 1799, notifying the appointment of Connolly (p. 30); Prescott to Sir John, ordering him to proceed to Upper Canada, in consequence of the death of McKee and to give Claus the temporary appointment, 18th February, 1799, (p. 32); Russell to Sir John, approving the appointment of Claus, 14th March, 1799, (p. 35); Nepean to Sir John, that Captain Claus is to receive an appointment in the Indian Department, 4th April, 1788, (p. 37); Hunter to Sir John, 26th December, 1799; has learned of Connolly's arrival; no orders can be given relative to his succeeding McKee till further instructions are received (p. 39); Portland to Prescott, intimating his appointment to the office of Governor of British North America, 13th December, 1796, (p. 40); additional instructions, 13th December, 1796, (p. 42). Pages 25 to 44

December 28, Quebec. Hunter to Portland (No. 5). Has received notice from the Duke of Kent that the Treasury had, at his instance, appointed Lieut.-Colonel Connolly to succeed the late Colonel McKee in the Indian Department, and that he had sent orders to Sir John Johnson to supersede any person who might have been placed by Prescott in that situation. Sends copies of correspondence with His Royal Highness on this subject. The inconvenience that would arise to His Majesty's interests with the Indians should Claus be superseded; is afraid many evils would result were Connolly appointed. The long services of McKee entitled him to the salary of £600; should Claus be confirmed as his successor £400 would be sufficient until his length of service would warrant the increase to the amount received by McKee. 18

1800. January 30, Quebec. Same to the same (No. 6). The orders respecting ordnance property and works of defence shall continue to be observed. The dangerous situation of the ammunition and ordnance stores from the decayed state of the wooden buildings in which they are deposited. Transmits copy of a minute of the Respective Officers on the subject, already forwarded. The orders to build an ordnance store have been mixed up with those relating to a provision store, so that Prescott had not considered himself justified in incurring expense on this account, and the matter remains suspended until further orders. The importance of making arrangements for the security of the stores referred to. 45

Minute of Respective Officers with estimates for erecting ordnance store houses, dated in May and August, 1798. 48 to 51, 53 to 55

January 30, Quebec. Hunter to King. Reports the arrival of the "Asia" with troops; the delay in sailing after the troops for Halifax were put on board; the exertions he (Hunter) made to have the crew completed; sends the whole correspondence on the subject. 52

Orders from the Duke of Kent for the relief of the troops at Quebec to be sent by transports to Halifax. 58

Schedule of papers respecting the "Asia" and the papers as in the schedule. 60 to 99

January 30, Quebec. Hunter to King. Had received letter by Captain Bellingham of the 24th regiment. Would gladly be of use to him, but the Duke of Kent does all in the military line without consulting him. Had appointed Ensign Tudor his aide-de-camp in room of Lt. Campbell, deceased, but this must be confirmed by the Duke of Kent. Everything going on smoothly in both Canadas. Is to meet the Legislature of Upper Canada at York on the 2nd of June. Milnes and family are well. 100

February 10, Quebec. Same to the same. Has received news of the death of White, Attorney General for Upper Canada; encloses account of it from Elmsley. There is no one in Canada who can be recommended to succeed. To urge the Duke of Portland to send some one well qualified for the office. 102

1800.

Report by the Chief Justice, dated 8th January, of the death of White, Attorney General, in consequence of being wounded in a duel with Small, Clerk of the Council. The Solicitor General has been directed to take charge of the papers of the Attorney General, and McNabb, one of Small's clerks, has been put in possession of the Council office. — Page 104

February 10, Quebec. Hunter to Portland (No. 7). Death of White, Attorney General; Gray too young to succeed; asks that a gentleman sufficiently qualified be sent in White's room. 106

March 7, Quebec. Same to the Same. Will on arrival at York inform the Council of the confidence the King has in their efforts to promote his interests and those of the Province. Defers giving an opinion on the claim for compensation by Russell for the loss of his house at York, till his arrival there. 108

March 8, Quebec. Same to the Same (No. 8). The inconvenience to the service should Connolly be appointed to the office of Deputy Superintendent of Indian Affairs; requests that Claus be confirmed; will write respecting a successor to the office held by Claus on his return to Upper Canada. The Legislature to meet on the second of June. Until after that meeting cannot say what will be done to provide out of the resources of Upper Canada for the temporary support of clergymen. Brant's attempt to place himself at the head of an Indian confederacy shall be resisted in every way. Has forbidden him to act for the Missisaugas. Respecting the Act for the bettter apportioning of land for a Protestant clergy. 110

March 13, Whitehall. Portland to Hunter (No. 6). Authorising the purchase of D. W. Smith's house at Newark for a free school in the Home District (see plans of house and grounds at pages 79 A and 79 B, in Q. 286—1, accompanying Russell's letter No. 55 of 12th February, 1799, at page 75 of the same volume). The purchase money may be taken from the School and College Fund. There should be seven trustees or governors, four of these to be always the Governor, (Lieut. Governor or Administrator) of Upper Canada, the Lord Bishop of Quebec, the Chief Justice of Upper Canada, and Speaker of Assembly; the other three to be appointed. Transmits letter from Phyn, Inglis & Co, respecting the lands on the Strait of St. Mary's applied for by the North-West Co. Believes the representation of the injury to commerce to be just and that it would be for the benefit of the fur trade to reserve four or five leagues or all the land along the tract in question. (For letter from Phyn, Inglis & Co., see 6th December, 1799, Q. 286—2, p. 532.) 16

June 1. York. Hunter to King. Thanks for copies of correspondence between the Foreign office and the Government of France, also of the intercepted correspondence from Egypt. 120

June 20, York. Same to Portland (No. 9). Dispatches received with copy of order that the civil and military authorities are to keep within their respective bounds. The Duke of York has written the Duke of Kent, who in consequence has cancelled the appointment of Connolly to be Indian Superintendent. Refers to appointment of Claus. 121

Extract of letter from the Duke of Kent, cancelling the appointment of Connolly to the Indian Department. 123

June 28, York. Hunter to Portland (No. 10). Has communicated to the Legislature the declaration, that if any act passed by any of the Colonial Legislatures shall not be confirmed within three years, it is to be considered as disallowed. 124

July 5, York. Report by Chief Justice Elmsley, on the acts passed in the Legislature, which originated in the Council. 221

(In Hunter's No. 14 of 20th August).

1800.

July 16, York. Russell to Hunter. Explains why the sum offered by the Legislature of Upper Canada to the King falls so far short of the amount first stated. Page 175

July 19, York. Chewett and Ridout report why certain Crown and Clergy lands were not reserved, and by what authority the reserves were ordered to be taken off, &c. 137

Extracts from a report made to Simcoe in 1795, respecting the township of Beverly (139); respecting reserves required on road to Oxford (140); township of Blenheim (141); of Burford (142); of Delaware (144); of Flamborough East (147); of Flamborough West (148); of York (149); of Markham (150); of King (151); of Vaughan (152); of Hope (153); of Rainham (154); of Walsingham (155); of Walpole (156); of Woodhouse (157); list of townships mentioned. 136 to 158

Extract of report to Simcoe, dated 9th November, 1795. 159

Chequered plan and diagram, distinguishing the Reserves of the Crown from those of the Clergy. 165-166

July 24, Whitehall. Portland to Hunter (No. 8). Dispatches laid before the King. His conduct in arranging for the Government of the Province during his absence and also with regard to the French Royalists approved of. How the rank of the latter is to be ascertained. Has referred to the law officers the question of their power, as aliens, to hold lands. At present it is out of the question to extend the service of the Canadian battalions. In reference to the vacancy in the Indian Department, refers him to the Duke of Kent's letter. Is authorized to build a powder magazine and store house, as there must be no delay in carrying out so important an object. His satisfaction at the regularity and good order in the Province. The appointment of Claus confirmed. The language held towards Brant is such as is required. 114

July 24, Whitehall. Same to the same. The grants of land to Arnold are to be made on the same terms as those to other reduced officers. 119

July 25, York. Hunter to Portland (No. 11). Has deferred till the next session of the Legislature proposing a temporary provision for a Protestant Clergy until the Reserves become productive. Hopes to digest a plan and to offer it with confidence, owing to the arrival of clergymen, who may expect to find an inclination in their favour, although there are so many non-conformists in the Province. Even the small number of four, for whom an allowance is authorized is not completed. His expectation of obtaining allowance for more is, therefore, not sanguine. Has deferred carrying into execution the regulations as to fees on town lots, for reasons given. States the circumstances attending the passing of Provincial acts respecting the Clergy Reserves. Simcoe carried off all letters from him (Portland) or from Dundas received during his administration; the difficulty of ascertaining the facts, but in the meantime can not discover the object of the bill. Desires, if a bill be still thought necessary, to be informed of what was communicated to Simcoe. 126

July 25, York. Elmsley to Hunter. Report on the reasons which have on different occasions induced the Executive Council to acquiesce in the deviations that have been made from the mode of reserving the Crown and Clergy sevenths according to the diagram which has been established and used for that purpose. 167

July 28, York. Hunter to Portland (No. 12). The Legislature met and prorogued. Sends speeches, addresses, &c. Shall send copies of Acts, &c. Has proclaimed the dissolution of the present House and the calling of a new one. 178

Speeches, adresses, &c. 180 to 191

August 10, York. Hunter to Portland (No. 13). Sends abstract of grants of land which have passed the seal, and return of the Militia of Upper Canada. 195

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Abstract of grants of land in Upper Canada, between the 1st of January and 15th August, 1799. Page 197

Annual return of militia, 10th August, 1800. 199

August 20, York. Hunter to Portland (No. 14). Copies of six acts assented to and of two acts reserved. Apologises for the poor paper. Sends also reports of the Chief Justice and of the Solicitor General, on the bills originating in the Houses to which these officers respectively belong. 200

Laws passed in the fourth session of the second Provincial Parliament of Upper Canada, with schedule of these and of reserved acts. 202 to 220

October 17, Whitehall. Portland to Hunter. Dispatches received. Is pleased that a plan is being prepared for making a temporary provision for the clergy, until the Reserves are productive. Shall not relax in his efforts to get qualified clergymen. May dispense with regulation as to fees on town lots, but a minute should be entered in the Council proceedings, to prevent this becoming a precedent. Insufficient land patents, void by want of specification of Reserves, may be cancelled and new ones issued. Is satisfied with the reasons given by Elmsley for departing from the chequered diagram in making the Church and Crown allotments. Speech and addresses satisfactory. The Lieutenant Governor of Quebec to receive warrants for Indian services. 192

LIEUT. GOV. P. HUNTER 1800.

Q. 287—2.

1800.

July 1, York. Remarks by Justice Allcock on the reserved acts. Page 245

(In Hunter's No. 14 of the 20th August.)

June 2 to July 4. Journal and proceedings of the Legislative Council of Upper Canada. 248 to 318

The same of the Assembly. 319 to 440

July 16, York. Report by the Solicitor General, on the laws which originated in the House of Assembly. 238

(In Hunter's No. 14 of the 20th August.)

August 23, York. Hunter to Portland (No. 15.) Sends second report of the Executive Council on the Crown and Clergy Reserves; if approved of, it shall be carried into execution. In the meantime, tenants are placed on the lands as opportunities offer. 441

Report on the Reserves signed by Elmsley, Chief Justice. 443

September 1, York. Hunter to Portland (No. 16.) Remarks on the purchase of D. W. Smith's house, which he has been authorized to make for the establishment of a school. The objections are: 1. Its situation under the guns of the American Fort of Niagara. 2. The mode of payment, there being no school and college fund, although lands are set aside for this purpose. Sends statement showing the low price of lands sold at auction. Smith proposes two modes of payment, which are transmitted. In reference to the letter respecting the grant to the North West Co. of lands on the Falls of St. Mary, thinks Phyn, Inglis & Co's letter reasonable; had refused a grant of the land there to the North West Co., believing it would establish a monopoly. 457

List of purchasers of 81,000 acres in the townships of Dereham and Norwich. 461

Proposal by D. W. Smith for the sale of his property at Niagara. 462

September 2, York. Hunter to Portland. That Smith is worthy of the £700 proposed to be granted to him as arrears of salary; when authorized he shall issue a warrant for the amount. 464

September 4, York. The same to the same (No. 17.) Has received orders to grant to Mrs. White, widow of the late attorney general, and to her children, the

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same amount of land as that given to the Executive Council. The Reverend George Okill Stuart appointed to be the resident Church of England minister at York in room of Mr. Reddish; he is a son of the Rev. Dr. Stuart of Kingston. Page 466

LIEUT. GOV. P. HUNTER, 1800.

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September 6, York.

Hunter to Portland (No. 18.) Sends Minutes of Council on State business from 2nd January, 1798, to 6th August, 1799, and on Land matters from 3rd January to the 20th December, 1797. Page 1

Minutes, 2nd January. Orders to ascertain Angus McDonell's authority for acting as attorney for Justus Sherwood in his suit against Adams. Plan for a lock-up approved of and McGill ordered to contract for the materials. 2

Minutes, 4th January. Instructions to the Attorney General to prepare the grant of lands to the late Major Gray, in accordance with his will. Report on claims in the Eastern and Midland Districts to be sent
January 2 to the Surveyor General for examination and report. List of deeds for lands, with details, to be delivered by the Secretary of the Council. 3

Minutes, 11th January. Auditing accounts. 5

Minutes, 12th January. The Receiver General to advance £254 11s. 1½d. for contingent expenses. 5

Minutes, 13th January. Auditing Public Accounts, with list. 7

Minutes, 5th February. Proceedings at the surrender by Brant on behalf of the Five Nations of lands to the King, to be transferred by deed to purchasers named. (Schedule of lands and purchasers at p. 14.) 8

Petition from Alexander McDonell, confidential clerk to the Council, for an increase of salary, with schedule of the salaries paid in Lower Canada; ordered that the same salaries be paid in the Council of Upper Canada. 15

to Minutes, 12th February. Application from the Acting Surveyor General for £2,000 to pay the balance of the surveying accounts, with explanation. Fees ordered for the expense of survey. 17

Minutes, 7th March. List of loyalists from the justices of the Western District, sent back for revisal. Motion to purge the U.E. list, so that all descendants may share the distinction, with means to secure this, and that those who had received lands, not being loyalists, should be called on for their fees. 19

The building of a small armed vessel authorized. 22

Road to the south side of the lake and a house to be built for the accommodation of the judges on circuit, and others, authorized. 23

Minutes, 22nd March. Public Accounts audited. 25

Minutes, 5th April. Gaol authorized to be built at York, large enough
April 21, 1798. to hold debtors as well as criminals. 27

Consideration of correspondence (given in full) respecting the mode of granting lands, fees, &c., deferred. 27

Minutes, 16th April. Letter from Russell respecting the leasing the Clergy and Crown Reserves considered. 44

Minutes, 20th April. Public Accounts audited and Russell's proposals for leasing Reserves ordered to be carried into effect. 45

Minutes, 21st April. Report on the mode of granting lands, (see minutes 5th April p. 27). The Board approves of Smith's plan, and sets out in detail the manner in which the lands should be leased. 46

1800.

Minutes, 25th April. Proposals to be made to Messrs. Waters and Simons, or to the latter separately, to print a weekly paper to be called *The Upper Canada Gazette or American Oracle;* the proclamations &c., to be printed on the first page; the remuneration for this and other printing. Page 52

25th April Minutes, 23rd May. Names expunged from the U.E. lists of persons not entitled to that designation.

How fees on land grants are to be paid, &c. 54

Minutes, 28th May. Papers relative to Indian lands to be put on record. 56

Minutes, 13th June. Colin McNabb, Superintendent of Inland Navigation, stationed at Niagara, represents that for want of new instructions consequent on the treaty, he is unable to execute his duty and that dutiable and contraband articles are brought in from the United States. Attention called to the subject by letter from Russell. 58

The Board will consider the subject. 59

Minutes, 14th June. On the representation of Farrand, clerk of the peace of the Eastern District, the issue of certain deeds for lands is stopped till further orders. 62

to Minutes, 15th June. Letter from Russell, that he will only suspend the issues of deeds against which a caveat is entered; agreed to by the Council. 63

Minutes, 16th June. Correspondence respecting the question of who was entitled to receive the Lieutenant Governor's fees in his absence, laid before the Council. 64

Minutes, 18th June. On further information, an order given to suspend the issue of deeds in the Eastern district to give time for the fyling of caveats, and that the clerk shall report all caveats in the office before the 31st December, &c. 66

Order by the President (Russell) that no paper shall be removed from the office without an order from the Lieutenant Governor or person administering the Government, except by the members of the Council who must leave a receipt. Also that the clerk shall not consider a petition for lands finally determined till it has been confirmed by the Lieutenant Governor or administrator. 69

Minutes, 23rd June. Fees paid by the Chief Justice on 4,600 acres of land to be returned to him. Orders that the road from the Humber to the Credit and onwards to the old road leading to the head of the lake, be carried into execution according to Jones's survey. 71

6th July

Minutes, 25th June. On application of Brant, a deed to issue to James Wilson for Indian lands, on the same terms as those in previous deeds. 72

In consequence of not receiving from Prescott the instructions for additional fees, there will be great confusion if grants are made conditionally. Resolved to charge the new fee as if the instructions were received, but not to be paid in to the Receiver General before the order for the new fees shall be received. 73

Minutes, 26th June. Letter respecting representation from the Superintendent of Inland Navigation at Niagara considered. 73

Minutes, 28th June. The importance of the questions raised by the Superintendent of Inland Navigation, but cannot advise they be brought before the Legislature this session. 75

1798.

Minutes, 5th July. The President asks if any alterations will require to be made in the mode of leasing Crown and Clergy reserves, in consequence of letter from the Duke of Portland. 76

Minutes, 6th July. Orders sent to the Deputy Surveyors to produce all maps, &c., to be laid before the commissioners for granting lands. 78

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Minutes, 10th July. Petition from Prince Edward County for a registry office granted. Page 79

Minutes, 13th July. Report by Elmsley respecting the sales of land, the proceeds of which are to be appropriated for Provincial expenses. 80

Public accounts audited. 82

Minutes, 14th July. Accounts audited. 83

10th July Petition from Jarvis, Secretary and Registrar of the Province, for £30 for expense of covering the records of his office, &c., to protect them from mice. 83

Arrears of salary to Rev. George Okill Stuart ordered to be paid. 84

Richard Cartwright, that in order to pay the salary of the grammar school teacher at Kingston, the revenues of the King's mills should be appropriated. The subject to be reported on. 85

Correspondence respecting clergy, schoolmasters, &c., for Upper Canada, laid before the Council. 86

Minutes, 6th August. A commission of two and a-half per cent allowed to D. W. Smith, on money collected for surveys. 96

to The sum of £150 advanced to Fortune, an extra deputy surveyor in the Eastern district, on account of his disbursements. 96

Smith recommends that Jones be employed to cut out fallen timber on the old road from the Credit, and that until bridges are built over the mouths of the Humber, Etobicoke and Credit, the whole of the old road should be cleared of such timber. The bridge over the main branch of the 12 Mile Creek is the only one remaining between York and the head of the lake; condition of the road otherwise. Recommended—that as soon as the new road to the head of the lake is opened, the old road be cleared and bridged; that the bridge at the Outlet be restored; that the hills be cut down, and that the road be brought into the town of York, so as not to pass through the garrison. 97

17th October Minutes, 7th August. Accounts audited. 99

Order respecting land fees. 100

The deeds for land in the Eastern District ordered to be delivered to Sir John Johnson. 100

Minutes, 9th August. Letter from the President (Russell) respecting the charge for fees on lands transferred by the Indians. The secretary instructed not to extend any charge for the deeds until further orders. 101

John McGill, that he is authorised on behalf of Simcoe to receive His Excellency's fees; and that the balance in the hands of the Receiver General be paid over for His Excellency's use. A moiety ordered to be paid over. 103

1798. Claim of Jarvis for the expense of printing referred to the Legislature. 103

Jarvis for extension of time to obtain the necessary vouchers for contingent expenses; granted. 104

Public accounts audited. 105

Minutes, 1st October. No quorum. 105

Minutes, 2nd October. Accounts of the Secretary of the Province audited and approved of. 106

Minutes, 6th October. Consideration of the table of fees postponed. 106

Minutes, 10th October. The agent for purchases ordered to be reimbursed. 107

Minutes, 15th October. Table of fees settled. 108

Minutes, 17th October. To report as to the best means of making the table of fees public. 109

1800.

Minutes, 22nd October. Simons, the printer, presents his account, audited and approved. Page 110

Report on Prescott's plan for disposing of the waste lands of the Crown. 110

Memorial from Jarvis respecting deeds issued to persons whose names have been expunged from the U. E. List. Resolved, that the fees must be paid by the public. 113

22nd October

Minutes, 25th October. Proclamation to be issued that fees are to be charged on grants of land, for the purpose of raising a fund for Provincial services, except those granted to U. E. Loyalists. 114

Table of fees under the new regulations. 117

Minutes, 29th October. Proclamation to be revised and report asked for by the Duke of Portland on the mode of carrying out the King's commands on this subject. Order to the Surveyor General to prepare a report showing the quantity of ungranted lands. 117

Minutes, 6th November. Report of the state of the Executive Council to be sent by every packet. 120

Report to be made on the lands to be appropriated to de Puisaye and his followers. 120

to

Report asked for on the mode of appropriating lands for grammar schools and other seminaries. 121

Minutes, 7th November. Correspondence respecting councils held with the Missisaugas, with report of the speeches. Resolved that presents for the Indians at River Credit may for this time be delivered at the head of the Lake, but that hereafter they are to be distributed at the River Credit, unless circumstances should render it necessary to distribute them elsewhere. and that they are to be warned against listening to improper suggestions &c. 122

24th November

Minutes, 9th November. The question of raising a fund for Provincial services discussed. Proposals to be asked for a lease of the mills on the Humber for 21 years, the advertisement to be submitted before publication. 135

Minutes, 10th November. On the subject of a fund for Provincial services, the Council asks if each is to report separately or if a collective report is to be made. 136

Minutes, 12th November. The President (Russell) desires to have a general report on the Provincial fund, signed by the Chairman, not separate reports. 137

Minutes, 17th November. No business done, owing to the absence of McGill and Shaw. 139

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Minutes, 19th November. Letters submitted recommending the case of de Puisaye. The fees to be charged on town lots. 139

Minutes, 22nd November. In reference to de Puisaye, it was resolved that the townships of Uxbridge, Gwillimbury, a township in rear of Whitby not yet named, and the ungranted part of Whitechurch be appropriated for de Puisaye and the French loyalists, reserving 1,000 square acres round Gwillimbury for a town and 1,000 acres on the Lake for a town and common, with power to alter the arrangement; de Puisaye to be at the head of the establishment, through whom all persons shall be admitted; de Puisaye to have 5,000 acres, to be selected by him; other arrangements. 140

Order that Arnold receive 13,400 acres for self and family, on the usual terms, residence excepted. 142

Minutes, 24th November. Royal assent to the Marriage Act read and a copy sent to the Attorney General to frame a proclamation. 143

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Communication from President Russell respecting lands for the French loyalists, recommending that arrangements should be made for their reception. Page 145

Minutes, 25th November. Answer by the Council to the President's communication respecting de Puisaye. 150

Minutes, 26th November. The purchase of D. W. Smith's house and lands recommended, the former for the school house, and the latter as part of the endowment of the free grammar school. 152

Minutes, 1st December. Report of the Board to consider the question of the establishment of grammar schools. The subject was divided into

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the following questions: 1. The sum to be raised; 2. The number of acres to be appropriated; 3. The purposes to which the fund is to be applied; 4. The number of schools and the places where they are to be erected; 5. The number now necessary. The questions are sub-divided; the conclusion is stated under ten heads. The council resolved to acquire the house and lands of D. W. Smith, as already reported, and that the Surveyor General select ten townships to be appropriated for the purposes mentioned in the report. 153

Respecting the new mode of granting lands to the loyalists as con-

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tained in Portland's letter. 167

Lots on Yonge Street ordered to be added to the townships to be appropriated for the French royalists, under certain stipulations. 167

The Surveyor General to assist in exploring lands for the French royalists. 168

Memorial of the Sheriff of the Home District, that he has been obliged to use his private credit for the maintenance of prisoners and expenses of gaol. The sum of five shillings a day ordered for a

to

gaoler, and one shilling and three pence daily for the maintenance of each prisoner, both sums Halifax currency. 168

Minutes, 6th December. Proclamation to be issued that loyalists, their sons and daughters are to receive their land free from all expense; this only to apply to those in the Province on or before the 1st of January last, and not to cover lands in excess of the 200 acres. 169

Minutes, 15th December. Copy of the proclamation respecting loyalists, ordered on the 6th, (see p. 169). 171

8th January

Accounts of D. W. Smith audited and approved of. 173

Minutes, 22nd December. Plan for opening a new road from the town to Yonge Street &c., appproved of. 173

Appendix to Minutes. Letter from President to Elmsley, dated York, 14th June, 1798, respecting duties to be levied on goods from the United States, &c. 175

Opinions of the members of the Board, on the mode to be adopted for

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the establishment of grammar schools, &c. Opinion of Æneas Shaw (177); of John McGill (178); of D. W. Smith (179); with tables (183, 184, 185); of Justice Powell (186); of the Attorney General (187); of the Solicitor General (189). 177 to 189

Proclamation respecting fees for raising a revenue for the public service. 192

Minutes, 5th January, 1799. The fees for the office of Coroner not to be charged to Thomas Barry, appointed to the Home District, nor those for door keeper for the House of Assembly to McLean. 194

Minutes, 8th January. Consideration recommended by the Council to the wretched state of the means of communication in the Province. 195

The U. E. list revised and certain names ordered to be struck off. 196

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Minutes, 12th January. The President recommends that a report be made of the means to improve the communications between one place and another in the Province. The subject considered. Page 199

Minutes, 17th January. Continuation of the consideration of the same subject. 200

Minutes, 19th January. Report from Stegman, deputy surveyor, of the proceedings of the men of the Queen's Rangers on the old road, and his proposal to start for the head of the Lake to mend the road till he shall meet the party of Queen's Rangers from Yonge Street. The Commandant to be applied to for a party of the Queen's Rangers to proceed
12th January on the road from Yonge Street to the Humber and onwards till they meet Stegman. 200

Proposals by the President respecting the mill on the Humber. 202

Minutes, 31st January. The President, in view of the death of the Deputy Superintendent General of Indian Affairs, asks the advice of the Board on the question of sending a letter of service to Messrs Baby and Grant to exercise the office till the pleasure of the Governor General be known, or till the arrival of Sir John Johnson. Communicates letter from Brant, that the French were coming up the Mississippi to attack Canada in Spring. Their intrigues among the Indians; asks the advice of the Council. Estimate of the value of Smith's premises submitted; how it is recommended to be paid. Advertisement to explain proclam-
to ation respecting the names of U. E. loyalists struck off the lists. 206

Report received of the death of McKee. The importance of the closest connection between this Government and the Indian Department of Upper Canada; recommends, therefore, the President to recommend some one to fill the vacancy and in the meantime to appoint Baby and Grant to execute the office. 207

Minutes, 1st February. The Council recommends the adoption of the report to appoint Baby and Grant to execute the office of Deputy Superintendent of the Indians. 208

The Council recommends that a person be sent to New York with copies of letters from Brant and other documents relating to French movements, to be sent to the Secretary of State either by packet or by
26th February fast sailing vessel, and that other copies shall be sent to Liston, at Philadelphia. 209

Other correspondence respecting the apprehended French and Indian attack. 210

Minutes, 2nd February. Consideration of reference respecting Indian affairs resumed. 214

Minutes, 4th February. Public accounts audited, approved and signed. 215

Minutes, 5th February. Public accounts audited, &c. 216

Recommendation to increase the salaries of the clerks in the Government offices, as they cannot subsist on them; the high wages in and about the town for ordinary labourers. Note of the salaries given. Other
1799 accounts dealt with. 217

Minutes, 9th February. What vouchers will be necessary in event of money being advanced to a surveyor, who has died before the work is completed. 220

Public accounts audited. 221

Minutes, 12th February. Accounts audited, with explanations, &c. 222

Minutes, 13th February. Further examination of accounts. 225

Petition for machinery for the mills at the Humber rejected. 226

Minutes, 22nd February. Examination of accounts continued. 227

Minutes, 26th February. Contract ordered for a block house to be erected opposite Government house. 228

1800.

Minutes, 27th and 28th February. Proposal by de Puisaye respecting lands for the French royalists. The Council consider the proposal of de Puisaye to negotiate with the Indians for lands inadmissible. If the Missisaugas are inclined now to part with their land the opportunity should not be allowed to slip; their intentions to be ascertained and the Commander-in-chief to be applied to, that the proper officers may be sent to enter into a provisional agreement. Until then no specific appropriation should be made, nor encouragement be held out to the French emigrants that they are to have an establishment there. The Government house at the head of the lake, pledged to Bates till next October,
27th February so that it cannot be taken from him before then. The Count may deal privately with Bates and if he succeed there would be no impropriety in giving him a lease, if he establish another tavern equally commodious. Page 229

Public accounts audited. 234

Minutes, 9th March. The Acting Surveyor General reports that the following field work is necessary: 1. To run the divisional line between Dunwich and Southwold; the town of Yarmouth to be completely surveyed. 2. To survey the Gore on the north side of the Thames between the upper forks at Oxford and the boundary of the township of London. 3. To survey the township of Norwich. Also to send a surveyor to
to examine Hope, Haldimand, Hamilton, Cramahé and Percy, and report what improvements have been made by the settlers. Proposes to employ Thomas Smith, under Iredell, in surveying the Western District, in which there is a vast deal of field work to be done. The report approved of, and the work ordered to be done. 235

Petition from William Bates to extend his lease of the Government tavern on the beach at the head of the lake, so as to enable him to risk making improvements. Decision postponed. 237

Further from de Puisaye respecting the same tavern. 238

Estimate of the expense of the Surveying Department for the half
6th April year ending 30th June, 1799. 239

Minutes, 14th March. Consideration of estimate of the cost of gaol deferred. 241

Minutes, 23rd March. Estimates for gaol considered and approved of. 242

Money to be advanced to the builder of the vessel for Government. 242

Minutes, 26th March. Acting Surveyor General's supplementary accounts audited and approved of. 243

Memorial of William Jarvis to have steps taken to transcribe and preserve the records of land grants. Referred to a full Council. 243

Memorial of White, Attorney General, respecting the engrossing and
1799. perfecting His Majesty's deeds; prays that the same practice may be observed as that in Lower Canada. A copy of memorial to be sent to the Secretary of the Province for an explanation, and that copies of all papers relating to the subject be transmitted to the Board. 245

Proposals by Asa Danforth for a road from York to the Bay of Quinté, recommended to the consideration of the Council. The Board will pay all attention to the subject. 247

Renewed application from de Puisaye for the lease of the Government House now held by Bates; referred to a previous resolution. 248

Minutes, 6th April. Letter from the British Minister at Philadelphia, contradicting the stories of hostile movements brought by Delaware Aaron's son. 251

Account of Alexander McKenzie submitted, approved of, and ordered to be paid. 252

1800.

Minutes, 9th April. Proposals of Asa Danforth, for a road to the Bay of Quinte, to be sent to the Attorney General, to prepare an agreement and that the Surveyor General select two townships to be sold to pay for the road. Page 252

Petition of Danforth that each good, industrious labouring man be allowed 200 acres as an encouragement for constructing the road. The Council agrees that at the end of the work, the petitioner may recommend labourers for 200 acres, the number not to exceed 40, and that, as requested, he be supplied with four grind stones. 254

Minutes, 13th April. The agreement with Danforth approved of and ordered to be perfected. 256

4th April

Map describing Dundas Street considered; and it being found that the road is over wet ground, an occasional deviation is allowed. 256

The Surveyor General authorized to take on an additional deputy, to explore the ground between York and Duffin's Creek, that the road may be run from the end of King street to where it joins Dundas street in the second concession of Pickering. 257

Petition of Henry Kahman, blacksmith, referred to the Commander-in-chief. 257

Report by D. W. Smith on the sale of two townships to defray the expense of opening Dundas street from York to the Trent. The plan of the street will require some alteration to connect it from the city to some part of the line as it passes through Scarborough. 257

to

The townships of Dereham and Norwich to be surveyed and laid off in blocks for sale. 258

The lots to be thrown open in Hope, Haldimand, Hamilton, Cramahé and Percy to form with Dereham and Norwich, a fund for the payment of the road to the Trent. 258

Minutes, 16th April. Respecting the question of engrossing deeds, as between the Attorney General and the Secretary. 259

Minutes, 20th April. Further respecting the question between the Attorney General and the Secretary. 260

11th June

Minutes, 27th April. Investigation ordered into the state of Markham township; all lots unlocated to be put under the Yonge street regulations. 263

The townships of Dereham and Norwich to be laid off for sale in blocks of 4000 acres. 263

Advertisement ordered for the sale of the mill site on the Humber; the fish not to be prevented from passing up and measures to be taken to prevent them from being destroyed. 264

Minutes, 7th May. Receiver General's accounts presented. 266

Ordered that half of the fees be paid to McGill as agent for Simcoe. 268

1799.

Minutes, 21st May. Letter from Portland respecting leases of reserves and the mode of charging the rent. 269

Abstract of grants with list of persons liable to pay full fees. 271

The President desires the Council to report what measures can be taken to make the grantees take up their titles or forfeit their grants. 272

Minutes, 28th May. Proposal by the Mississaugas through Brant, to cede five miles along the Lake, extending as far back parallel with the original purchase as will make 69,120 acres, on condition that it is granted to de Puisaye, and to be paid for at the rate of one shilling and three pence Halifax currency. The offer not accepted for reasons given. 272

Minutes, 11th June. Rations ordered for the French emigrants. 274

Answer to Brant respecting the offer of the Mississaugas to cede land. 274

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The sum of £30 ordered to be advanced to Alexander McDonell, Sheriff of the Home district. Page 276

Minutes, 18th June. Correspondence respecting a complaint by McKee and Claus against the conduct of McLean towards the Indians at Amherstburg. 276

The President to write to McLean to prevent any change in the old system. 283

8th June Proposal by the President that the officer commanding the Queen's Rangers be desired, by requisition, to supply a working party of 50 men, to make the road from the Bay of Toronto towards the French settlement. 284

Minutes, 25th June. Passports for the Marquis de Beaupoil, St. Aulaire, and M. Coster de St. Victor, to return to Europe, applied for by Hon. Richard Cartwright. 285

Broken lots 10 and 11 to be added to the other lands appropriated to be sold with the King's mill at the Humber. 285

Minutes, 2nd July. The Council sees no objection to grant passports asked for on the 25th June. 286

to Minutes, 3rd July. The Surveyor General has employed Stegman to explore, &c., the route for the opening of Dundas Street, from York to the Trent. As a surveyor is not wanted to superintend the work, Merritt might be employed and paid as an extra surveyor. The report agreed to. 287

The Attorney General to prepare a list of blank deeds in his office, the completion of which was suspended by order of the 1st June, 1798, with names of grantees, &c.; a committee of Council to examine and report which of these may now be completed. 288

Advertisement for the sale of lands at Dereham and Norwich. 288

18th July Minutes, 4th July. Order for the exaction of fees on town lots. 289

Minutes, 6th July. Public accounts audited, &c. 290

Order respecting the dates to which accounts are to be made up. 291

Resolution respecting the issue of deeds for land, in reply to petition from the land granting officers. 291

Minutes, 11th July. Portland approves of the decision to sell the lands left after the reserves and the grants to loyalists, provided the proceeds are greater by sale than by grant subject to fees. The grants to U.E. loyalists only to extend to their sons and daughters. How the sales should be effected, &c. 292

1799. Memorial from D. W. Smith that the state of his office be examined in view of his leaving for England. He proposes to place the office in commission. Referred to a committee to report. 296

Proposal of the president to postpone the promulgation of certain Acts till after the return of the judges from circuit, agreed to. 298

Minutes 13th July. The President calls attention to the leave of absence to the Surveyor General and the arrangements necessary. 300

Regulations for the preparation and engrossing the instruments to pass the Great Seal. 301

Minutes 16th July. Address to the King. 302

Report on the state of the Surveyor General's office. 304

Memorial of Alexander Burns, private secretary to the Lieutenant Governor, for increased salary. Recommended for reasons given, the recommendation to be transmitted to the Treasury. 305

Application for oxen to remove the timber which impedes the opening of the road to Yonge street. 309

Minutes 18th July. Memorial from officers of the land granting department, to issue the patents now ready taken out by those who have received grants, that the fees be paid. The Board reply to the Presi-

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dent that his recommendation on the subject was answered on the 6th instant. Page 310

The President recommends that a committee examine and report how many patents are now in the Secretary's office, which should be taken up. 311

25th July

Minutes 25th July. Memorial of Angus McDonell for remuneration as French Secretary to the Lieutenant Governor, recommended by the President. The Board is of opinion that there is no adequate necessity for increasing the public expense by the appointment of a French Secretary. 312

The Board conceives that there is no need to appoint a Committee to ascertain the number of patents in the Secretary's office. 313

to

The amount of cash received on warrant of survey under the new regulations reported. 314

Minutes 26th July. Memorial of W. Jarvis for books for the use of the Secretary's office. Ordered to give an estimate of the cost. 314

Memorial of Asa Danforth for £100 currency for the road from York eastward of which 30 miles are completed; $200 ordered. 316

6th August

Minutes 29th July. The sum of £60, Halifax currency, recommended to be paid to Angus McDonell, for the trouble and expense incurred in fowarding provisions, &c., to the French emigrants. 317

Minutes 6th August. Estimate of Jarvis for books for the Secretary's office approved of; ordered that the books be provided. The sum of £15 allowed to Small for office fittings. 318

1799.

Complaint of Joseph Kendrick of the schooner "Peggy" of exorbitant port charges. Consideration deferred till information is obtained. 319

Public accounts audited. 319

Lt. Gov. Peter Hunter, 1797—1800.

Q 289—1, 289-2.

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(Q 289—1 contains the Minutes of Council on Crown lands and to page 522 in Q. 289—2. The list of petitions is at the end of the calendar of these two volumes.)

February 28, Philadelphia.

Timothy Pickering to Major Rivardi, introducing and recommending M. Le Couteulx, a French gentleman, who is naturalised. Page 558.

October 6, Fort George.

Lt. Colonel McDonell to Major Rivardi, the letter of this date received (the letter should be dated the 7th, see p 556) can only state that M. Le Couteulx is a gentleman, without a passport, and must be detained until the pleasure of the Commander-in-chief shall be known. 559

October 7, Fort Niagara.

Major Rivardi to Lt. Colonel McDonell (see page 559). That Le Couteulx being a naturalised American, desires to know the motives for keeping him a prisoner. 556

(In Hunter's No. 23 of 19th November).

October 12, Quebec.

Hunter to Portland. (No. 19). Encloses requisitions for clothing for the first and second battalions of Royal Canadian volunteers. Copies sent to the Duke of Kent. 523

Requisitions. 525 to 528

October 12, Quebec.

Opinion of the Attorney General (Sewell) on the case of Le Couteulx, held prisoner, that he may be legally detained as a prisoner of war. 552

(In Hunter's No. 23 of 19th November).

October 14, Quebec.

Hunter to Portland (No. 20). Sends requisition for Indian stores. 529

Requisition. 530

October 20, Quebec.

Hunter to Portland. Has received instructions respecting grants of land to General Arnold. 535

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October 21, Quebec. Hunter to King. Estimate of the charge of defraying the civil establishment of Upper Canada received. Page 536

October 27, Quebec. The same to Portland (No. 21). Dispatches received. Will ascertain the respective ranks of the French royalists. Is anxious for directions how far a valid title can be given them, before their disabilities as aliens are removed. Cannot send a favourable report of the two battalions of Royal Canadian Volunteers. Prevalence of desertion. Had discharged eighty men unfit for service. Respecting the accounts. Has ordered the building with as little delay as possible of the powder magazine and ordnance store on Cape Diamond. Is thankful for the appointment of Thomas Scott to be Attorney General for Upper Canada. Has informed Claus of his appointment to be Deputy Superintendent General of Indian affairs. The civil administration of Upper Canada properly conducted during his absence. The improvement of the roads has facilitated the communication between Upper and Lower Canada, and roads are now passable as high up as Amherstburg. The tranquil state of the two Provinces; the necessity of each regiment taking the tour of duty at all the posts; fears of desertion. 537

October 31, Quebec. The same to the same (No. 22). Transmits copy of the rates of exchange and prices of provisions at Quebec for October, 1800. 541

Quebec prices current for the month of October, 1800. 543

November 3, Quebec. Abstract of warrants for the ordinary services of the army, between the 29th October, 1799, and 30th October, 1800. 561

November 19, Quebec. Hunter to Portland (No. 23). In conformity with orders, M. Le Couteulx was arrested at Fort George, opposite Niagara, on the 7th October, with a considerable quantity of merchandise, with which he said he meant to proceed to Detroit; he has been sent to Quebec and his case referred to the Attorney General. His opinion is that Le Couteulx may be legally detained as a prisoner of war. Governor Milnes has allotted two convenient rooms in the common gaol for the custody of Le Couteulx. No distinct charges can be proved against him, but since 1794 he has been an object of very great suspicion. Sends copy of report on the case by the Attorney General, also application by Major Rivardi, with Lt.-Colonel McDonell's answer. Apparently an application is to be made by the United States for the release of Le Couteulx, as an American subject, so that he desires instructions on that point. His papers, which are very voluminous, are in course of examination by two magistrates and the law officers; when all examined the substance shall be transmitted. 547

1797. Minutes of Council on Crown Lands. Names of applicants, &c., placed alphabetically, irrespective of date. The numbers following the names indicate the pages.

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LT. GOV. PETER HUNTER, 1801.

Q. 290—1.—Q. 290-2.—Q. 290-3.

1800. November 18. New York.

Alexander Hamilton to Henry Cheriot. That Le Couteulx, having left France during a time of peace with Great Britain, has lived fourteen years in the United States, and been naturalized, so that he cannot rightfully be considered by the British authorities as a subject of France and a prisoner of war.

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1801. January 2. Quebec.

(In Hunter's letter No. 24 of 2nd January, 1801.)

Hunter to Portland (No. 24). Transmits parts of Couteulx's papers, &c., containing his proposals for the invasion of Canada; all appear to have been written in the United States. Hamilton's letter respecting pretended privileges of Couteulx, as a citizen of the United States.

5

Extracts of letters from Le Couteulx, in Hunter's letter No. 24.

Le Couteulx to Rodolph Tellier, 27th March, 1796 (in French). His desire to see ten ships of the line with 5,000 or 6,000 troops sent to the St. Lawrence; nothing would please the Canadians better. Adet should mention it to the Directory.

7

Dated 6th May on the same subject; 197,000 Canadians had a French heart. Had written Liancourt that France should seize Hamburg, and send £50,000,000 of forged notes into England.

7

1801.

Dated 21st May, 1797. On the same subject. His pleasure that Spain has ceded Louisiana and the two Floridas for the Spanish part of St. Domingo. Whites can cultivate the land in the two Floridas and Louisiana but the other will become a haunt of pirates like the coast of Barbary. The negroes once free will only engage in piracy. This country (United States) will be obliged to make treaties with them as it has done with the Dey of Algiers, Tunis and Morocco. Would wager two to one that thiswould happen. Page 8

Dated 9th June, 1797. Same subject. 9

Le Couteulx to P. Stephen Duponceau, dated 15th July, 1797. Had hoped for a squadrum of ten ships of the line and 6,000 or 8,000 troops to seize Canada, Nova Scotia, Newfoundland and all British possessions in America. The Canadians are burning with a desire to return to be under the government of France. 9

To Citizen Rodolph Tellier 27th July, 1797. Same subject. 10

To C. Volney, 4th December, 1797. The same subject. The eagerness of the Canadians to join the French. 11

To Garret Gottringue, 1st December, 1796. Bishop Carroll has written to the clergy of Canada for money to assist in building our (the French) church. Wishes he could go to Canada; he would *parler Francais* among the Canadians and call on every one for something. Hopes the time will come when every Frenchman may enter Canada without leave. Is sorry to see the President withdraw; is afraid the peace of the country will be disturbed by the French owing to the treaty with the English. The French can digest anything but that. Hears that the Spaniards have given them (the United States) Louisiana and the two Floridas in exchange for Spanish St. Domingo. (See letter of 21st May, 1797 p 8). Believes they want Canada also to have a footing at each extremity of the continent. The Spaniards are determined to have Gibraltar. 13

(The last letter is a translation, the original of which is not given. It is followed by translations of the other letters of which a synopsis is given above. These begin at page 14 and end at page 20).

January 6, Whitehall.

Portland to Hunter (No. 10.) Letters received. The large amount of land granted under Russell's administration, the average being 459 acres for each grant. The return of the Militia must be lower than it ought to be; concurs in the able report of the Executive Council. Separate accounts must be kept of the Crown and Clergy lands; the latter to form a fund as the Act directs; the receipts from the former to be applied to such Provincial purposes as His Majesty may direct, any surplus to be transmitted to the Treasury to be invested for the benefit of Upper Canada; it would, he thinks, be equally advantageous to dispose of the rents from the Clergy Reserves in the same manner. Mr. Smith's house cannot be purchased, being unfit for a public school; he is to be paid £700 as arrears of salary. Requisitions for clothing for the two battalions of Royal Canadian volunteers and for goods for the Indians transmitted to the Treasury. Sent to the Duke of York report as to apprehended desertions from the Canadian battalions; sends copy of letter, &c., to Prescott respecting their accounts. Is glad to find that the roads between Upper Canada and Quebec are improved. Encloses copy of letter from Brant. Frigate to convoy the Trade fleet from Quebec. Expenses for the Indian Department to be defrayed as before from the Army Extraordinaries. 1

(For date in margin, see Hunter's No. 29 of 18th June, p. 48.)

January 12, Quebec.

Hunter to Portland (No. 25). Sends Mann's report on the state of the canals, &c., on the St. Lawrence or Cataraqui River above Montreal, which require great repairs and alterations, the expense of which is

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necessary, the works being important both for Government and the trade; recommends Mann's proposal for a new canal instead of improving the locks at the Mill Rapids and Cascades. Recommends that the other locks be repaired, the cost, exclusive of the new canal, amounting to £1,427, 8s. This amount, as well as the cost of the new canal, can be paid gradually out of the tolls, which now amount to about £600 a year, and will increase with the improvements. Plan enclosed, showing the situation of the locks at the Mill Rapids and Cascades.

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Report on canals referred to. Duplicate original is in volume 38 of Series C, with particular plan of new canal. 27

Plan of canals at the Mill Rapids and Cascades, showing the line of the new canal. 36A

March 18, Quebec. Hunter to Portland (No. 26). Shall have an entry made in the Council books to prevent the allowance of fees on land grants becoming a precedent for paying the whole to the officers of the land granting department. The grants (four in number) issued without the provision for Clergy Reserves have been withdrawn and new deeds issued. Money for the Indian Department shall be issued from the military chest to the Lieutenant Governor as required. Calls attention to the doubt as to the validity of titles issued to French royalists. Is to meet the Legislature of Upper Canada on the 28th of May, and will leave for York very early in Spring. 37

April 10, Quebec. Same to the same (No. 27). Acknowledging dispatches with instructions regarding the cultivation of hemp in Upper Canada; proclamation respecting the style and titles of the Imperial Crown of the United Kingdom, and an order to continue the use of the Public Seal of Upper Canada till another can be engraved. 41

April 15, Quebec. Same to the same (No. 28). Acknowledges receipt of a printed proclamation respecting the Royal titles, &c., on the union of Great Britain and Ireland. 43

This and other printed documents on the same subject are in series C Vol. 245.

April 23, York. Russell to Portland. Had received dispatch authorizing an addition to the salaries of certain office clerks; it will be handed to Hunter that no time may be lost in carrying it into execution. Calls attention to his own position; states his long services and asks for an increase of salary as Receiver General, to make it equal to that paid to the holder of the same office in Lower Canada. 44

June 18, York. Hunter to the same (No. 29). Refers to the large grants of land mentioned in Portland's letter of the 6th January (see p. 1). These did not include the whole of the grants to the Executive Council or to the American Loyalists. Separate accounts to be kept of the rents of the Crown and Clergy Reserves, those from the former to be applied to such public purposes as may be resolved on, and from the latter according to the Act. Has paid £700 to Smith as arrears. The Count de Puisaye to furnish lists of the military rank of the French royalists; deeds cannot be issued till he shall receive orders on the subject. Has supplied Milnes with money from the military chest for the Indian Department and for civil expenses of Lower Canada. Le Couteulx detained as a prisoner of war. Sends report on the culture of hemp. The Legislature met on the 28th May; sends copy of his speech, &c. 48

Speeches and addresses in reply. 52 to 60

Report on the cultivation of hemp. 61 to 71

June . Whitehall. Portland to Hunter. The King sanctions the adoption of Mann's report on the Canals and the proposed expenditure. Measures should be taken to render the work beneficial and to limit the expenditure to

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the estimate. Must defer giving instructions as to the validity of any titles that may be issued to French royalists. Page 39

July 16, York.

Hunter to Portland (No. 30). Legislature prorogued on the 9th inst. Sends copy of his speech. Shall transmit as soon as possible copies of the reserved acts. Sends address from the Assembly for £250 to purchase and distribute hemp seed, and £500 for premiums to deserving cultivators and exporters. The zeal shown to promote the culture of hemp. Sends abstract of land grants. Transmits memorial from Justice Powell. 73

Speech on prorogation. 76

Address for grants of money to promote the cultivation of hemp. 78

Abstract of Land Grants from 16th August, 1799, to 31st December, 1800. 81

Counties.	Grants.	Districts.	Acres.	Total Grants.	Total Acres.
York	30		11,899		
Durham	1	Home	600	40	15,299
Northumberland	9		2,800		
Addington	1		150		
Frontenac	4		650		
Hastings	14	Midland	3,786	20	4,766
Prince Edward	1		190		
Lincoln	5	Niagara	1,500	5	1,500
Essex	9	Western	1,138	9	1,138
Middlesex	1		1,200		
Norfolk	3	London	780	20	83,780
Oxford	16		81,800		
Dundas	12		4,012		
Prescott	1	Eastern	5,000	13	9,012
Grenville	12		3,891		
Leeds	7	Johnston	3,090	20	7,191
Russell	1		300		
		Total		127	122,696

Memorial of William Dummer Powell for grant of land as a compensation for the losses he sustained by removal to York. 83

July 30, York.

Mr. Justice Allcock to King. In consequence of the resignation of the office of Chief Justice by Osgoode, and that Elmsley has given up his claim to succeed, prays for the succession as Chief Justice. A plan for a Court of Chancery in preparation. Would prefer to be Chief Justice below, but would remain here where his services seem to be wanted. Applies for an increase of salary and a seat in the Council. 85

August 1, York.

Hunter to Portland (No. 31). Transmits draught of a bill for erecting a Court of Chancery, which if approved it is intended to pass into law. The constant applications for a Court of Equity; the necessity for such a court has become urgent. Reasons for this. The necessity for having some one trained at the Chancery Bar in England to organise such a court; Mr. Justice Allcock recommended as suitable to give the necessary professional aid, although he is to retain his seat in the King's Bench. Without a qualified man to instruct the Bar and the officers in their duties, the court cannot proceed. Allcock's good qualities; the limited knowledge of the law possessed by the Bar, with a few exceptions, and not one of them was ever within the walls of a Court of Chancery. Should the bill be approved of, asks that a *mandamus* be sent to appoint Allcock a Chancery Judge, with certain powers. Respecting the appointment of officials. An increased salary should be given to Allcock. 88

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Draught of the Chancery Bill.
Observations on the same. Page 96*a*

August 1, York. D. W. Smith to Hunter. His disappointment that the house has not been bought for a school as he anticipated; offers it for a barrack. Is willing to make a reduction in the price. Asks for leave of absence. 107

August 10, York. (In Hunter's No. 32 of 10th August.)
Hunter to Portland (No. 32). Shall, as ordered, detain Couteulx as a prisoner of war. Sends letter from D. W. Smith, respecting his house, which was to have been bought for a school, but the purchase not carried out. He now offers it for officers' quarters. Its convenient situation; the saving in lodging money; asks authority to purchase. Mr. Smith's services as surveyor general, and since as Speaker of the Assembly.

August 14, York. Smith to King. Asks for his good s[illegible] respect to the sale of his house at Niagara. Has again been re[illegible]d to Parliament and made Speaker of the Assembly. 114

August 15, York. Hunter to Portland (No. 33). Sends minutes of Council on State matters from 17th August, 1799, to 30th June, 1801, and on land matters from 22nd December, 1797, to 30th June, 1799. 122

17th August Minutes, 17th August, 1799. Oaths of office to Hunter, as Lieutenant Governor, and to the Bishop of Quebec as an Executive Councillor. 124

Minutes, 22nd August. Message from the Lieutenant Governor, 125

Minutes, 24th August. Report by the Chief Justice on the Message from the Lieutenant Governor, specifying what arrangements should be made for administering the Government, during the Lieutenant Governor's absence. 126

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